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E LIFE OF EDWARD ARL OF CLARENDON

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CRAIK, Sir Henry

The life of Edward Earl of Clarendon.
(In 2 volumes)

London Smith, Elder & Co.
1911

THE LIFE OF EDWARD, EARL OF CLARENDON

John Hampden
from a miniature by Samuel Cooper
in the possession of Earl Spencer

Emery Walker Photo.

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THE LIFE

OF

EDWARD

EARL OF CLARENDON

LORD HIGH CHANCELLOR OF ENGLAND

BY

SIR HENRY CRAIK, K.C.B., LL.D.

MEMBER OF PARLIAMENT FOR GLASGOW AND ABERDEEN UNIVERSITIES

WITH PORTRAITS

VOLUME II

LONDON

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LIFE OF EDWARD
EARL OF CLARENDON

CHAPTER XIV

THE RESTORATION

After the death of Cromwell, on September 3rd, 1658, there ensued for the exiled Court twenty months of constant alternation between hope and despair, in which the gloom greatly preponderated. As the chief pilot of the Royalist ship, Hyde, now titular Lord Chancellor, had to steer his way through tides that were constantly shifting, and with scanty gleam of success to light him on the way. Within the little circle of the Court he was assailed by constant jealousy, none the less irksome because it was contemptible. The policy of Charles, so far as he had any policy apart from Hyde, varied between the encouragement of friendly overtures from supporters of different complexions at home, and a somewhat damaging cultivation of foreign alliances, which were delusive in their proffered help, and might involve dangerous compliance with religious tenets abhorred in England. The friends in England were jealous and suspicious of one another, and their loyalty varied in its strength, and was marked by very wide difference in its ultimate objects. It would have been hard in any case to discern the true position amidst the complicated maze of

political parties in England; it was doubly hard for one who had been an exile for a dozen years. To choose between different courses was puzzling. Inaction was apt to breed apathy; but immature action would only lead to further persecution of the loyalists, and to disaster to the most gallant defenders of the rights of the King. With the true instinct of a statesman, Hyde saw that the waiting policy was best; but it was precisely the policy that gave most colour to insinuations of his want of zeal. In spite of his exile, he understood the temper of the nation better than any of the paltry intriguers round him; to study that temper was not a process that commended itself to their impatient ambitions. His pen was unresting: in preparing pamphlets, in writing under various disguises, in carrying on endless correspondence, in drafting constant declarations. But all such work met with little acknowledgment from those who thought that their own intrigues were more likely to benefit the King, and, above all, to advance themselves. They recked nothing of that sound traditional frame of government which it was the aim of Hyde religiously to conserve. Few statesmen have had a task more hard, more thankless, and more hopeless than that which fell to him during these troubled months.

Hyde was saved from despair only by the intense dramatic instinct of the historian that was implanted in him. He could, or—what came to the same thing—he believed that he could, discern the greater issues of the time, and what interested him above all was the vast influence upon those issues of personal forces. When he recalled the events of his time, in the enforced leisure of later years, it was to the action of great personalities that he gave his chief attention, and the passing incidents grouped themselves in his memory as mere accessories to the play of individual character. All through his history it is this which chiefly attracts us,

and nowhere is it more striking than when he records the passing of the greatest personal force of the age in Cromwell. It did not occur to Hyde—and, to their credit be it said, it did not occur to any even of the more friendly spectators on the other side—to regard Cromwell as the embodiment of a mighty purifying force in which defects were to be ignored or even justified on account of the heaven-inspired dictates under which he was presumed to have acted. Just as little could Hyde conceive of Cromwell as the great precursor of modern ideas, demanding the obedient homage of every ardent partisan of popular rights. These were eccentricities reserved for later historians under impulses of later origin. Hyde was compelled by all his strongest traditions and most cherished principles to regard Cromwell's work as utterly destructive, and he never pretended to have anything but the bitterest prejudice against him. To his mind, Cromwell was sent as a punishment from Heaven for national defection, and he never concealed his hatred for Cromwell's profound dissimulation or his abhorrence for the tyranny which the Protector succeeded in imposing on the nation. To have assumed an impartial attitude would only have been, to Hyde, an effort of insincerity. It is precisely this which gives its weight to the measured estimate which Hyde forms of his stupendous powers. His appreciation of Cromwell is a pendant to that which he gives of Charles I. The latter is inspired with a clear flame of loyalty ; but this does not blind him to the defects of the master for whom he had such a sincere regard. His deadly hatred of Cromwell leaves him equally clear-sighted as to the Protector's supreme ability.

" He was one of those men whom his very enemies could not condemn without commending him at the same time ; for he could never have done half that mischief without great parts of courage, industry, and judgment." " He

achieved those things in which none but a valiant and great man could have succeeded." "Wickedness as great as his could never have accomplished these trophies without the assistance of a great spirit, an admirable circumspection and sagacity, and a most magnanimous resolution." "When he was to act the part of a great man, he did it without any indecency, notwithstanding the want of custom." "He extorted obedience from those who were not willing to yield it." "In all matters which did not concern the life of his jurisdiction, he seemed to have great reverence for the law." "As he proceeded with indignation and haughtiness with those who were refractory and dared to contend with his greatness, so towards all who complied with his good pleasure and courted his protection, he used a wonderful civility, generosity, and bounty." "His greatness at home was but a shadow of the glory he had abroad." "He was not a man of blood, and totally declined Machiavel's method." When a massacre of Royalists was suggested, "Cromwell would never consent to it; it may be out of too much contempt of his enemies." "In a word, as he had all the wickedness against which damnation is denounced, and for which hell-fire is prepared, so he had some virtues which have caused the memory of some men in all ages to be celebrated; and he will be looked upon by posterity as a brave bad man."

These fierce words are inspired by exceeding hatred. But in spite of that, we can see that Hyde felt himself in the presence of a greatness that compelled respect. He was himself to exercise, in conformity with law, and with a profound respect for it, very considerable power for a few years to come, and was to leave his impress upon a century and a half of English history. But that influence was only to come after a greater and a more forceful spirit had passed away, leaving no one fit to wield the same resistless power. Never has stern denunciation been relieved by a tribute of more dignified admiration of unquestionable greatness. His warmest admirers could not place Cromwell on a higher pedestal of acknowledged

grandeur, all untouched by sympathy and all unbending in condemnation though Hyde's verdict is.

The same dramatic element is present in Hyde's picture of the scene that followed. Cromwell's life had closed amidst clouds and thickening trouble. The Earl of Warwick and his grandson and heir (Cromwell's son-in-law), had both died. On that side his alliance with the great aristocracy of England was broken. Another son-in-law, Lord Falconbridge, was alienated from him, and refused to acquiesce in his later ambitions. Desborough, his brother-in-law, was at least doubtful in his allegiance; and Fleetwood, a third son-in-law, was a feeble craven, upon whom no reliance could be placed. The fear of assassination had haunted him; and the death of Syndercombe in prison had snatched away from him the chance of making a striking example of one who had plotted against his life. The death of his daughter, the wife of Claypole, had sorely tried the tenderness that was mingled with his stern ambition, and it may be that the story of her grief at the blood he shed had some foundation, and that the prick of conscience added to his gloom. At least, it is certain that the sun of his success set in clouds and darkness, which might portend the crash of the fabric he had raised.

But Hyde is keenly impressed with the absolute contrast between the portents and the reality.

"Never monarch, after he had inherited a crown by many descents, died in more silence nor with less alteration; and there was the same, or a greater, calm in the kingdom than had been before." "The dead is interred in the sepulchre of the Kings, and with the obsequies due to such. His son inherits all his greatness and all his glory, without that public hate, that visibly attended the other." "Nothing was heard in England but the voice of joy." That state might have continued "if this child of fortune could have sat still."

But "the drowsy temper of Richard" was little fitted to benefit by this apparent acceptance, much as it damped the hopes of the exiled Court. The engagements already made with Sweden rendered supplies necessary, and to raise these supplies it was necessary to summon a Parliament. Cromwell's bold scheme of Parliamentary reform, by which he had added to the county representatives and diminished those of the smaller burghs, was departed from, and the burgh representatives were again increased so as to give to the "Court" better opportunities of interfering in elections. Parliament met on January 27th, 165$\frac{8}{9}$, and it was not long before troublesome disputes again broke out. The votes were carried by small majorities, and there were so many various parties in the House that it was never certain when a combination of adverse factions might outnumber the followers of the "Court." To these followers there was opposed a strong phalanx of ardent Republicans, and the balance was held by a nondescript element called the "Neuters," amongst whom there were some even of Royalist leanings. Hyde was in constant correspondence with Royalist adherents in England, as to the means by which these different parties in Parliament might be used to involve the Government of Richard in trouble, to accentuate such discontent as existed, and, if possible, to steal an occasional adverse vote. But such schemes had little success.

Opposition to the Government, however, came from a source more powerful than a divided Parliament. Lambert had been cashiered by the late Protector; but he still retained an enormous influence in the army, and the army had no mind to submit tamely to extinction by Parliament. A council of the officers met to air their grievances, and Lambert, although no longer an officer, had a place amongst them. They complained that their pay was in arrear; that

their services were neglected; that "the good old cause was traduced by malignants"; and that Parliament must be moved to redress their wrongs. With strange impolicy, Parliament passed a resolution against any council of officers, and sought to impose its authority upon a power greater than itself. The ready answer was a demand for the dissolution of Parliament. Richard Cromwell was allowed no choice in the matter; if he did not do it, the army, he was told, would do it for him. He gave an involuntary assent. On April 22nd the dissolution took place, and Richard found himself virtually deposed. For another year there was little but anarchy in England, and any semblance of a constitution was virtually in abeyance.

As the creature of the army, the old Rump Parliament was restored on May 7th. That was the name given to that section of the Long Parliament which sat from 1648 (when "Pride's Purge," as it was called, was applied) to 1653, when Cromwell ejected the remaining members and summarily closed the doors of Parliament. Of 213 members of the Long Parliament only ninety were thus permitted to sit, and of these only seventy actually did sit. Those who were not pronounced Republicans were excluded by the rough-and-ready method of a military guard placed at the door of the House. Such an assembly could have no respect from the nation, and was clearly only an instrument by which the Council of the Army might exercise its power. "The name of the Protector was no longer heard but in derision."[1] But nothing was established to take the place of the authority thus cast aside.

Once more, and in even greater degree, the hopes of the Royalists were cast down. The restoration of the House

[1] Richard Cromwell submitted himself, with abject and craven weakness, to the will of this so-called Parliament. Nor did his younger brother, Henry, the Lieutenant of Ireland, prove to have any larger share of his father's courage.

which had destroyed the monarchy seemed, in the words of Hyde, "to pull up all the hopes of the King by the roots." In this despair the Duke of York was ready, at the persuasion of those about him, to accept from the King of Spain the post of Admiral of his Fleet. It offered, what there seemed but little likelihood of his otherwise obtaining, a place of dignity and a means of livelihood. That it necessarily involved a profession of the Roman Catholic religion was sufficient to condemn it in the eyes of Hyde, as at once unprincipled and impolitic. With the Duke's immediate advisers such considerations counted for nothing.

Backed by the visible force of the army, of which Lambert, now restored to his commission, was the virtual leader, the Rump Parliament showed a temporary vigour. All Cavaliers were banished from London. Monk, who commanded in Scotland, accepted the Parliament's authority. The fleet gave in its allegiance, and the relations with foreign powers were for a brief period renewed under the altered administration. The name of Parliament sufficed for a time to carry conviction to the people at large that this was the only means of preserving the Republican institutions which seemed to embody all that they had fought for.

But the real popular support to this fantastic substitute for Government was very small. All over the country discontent was widely spread, and had penetrated deeply into the hearts of the people. The Royalists, detached and ill-organized as they were, yet found themselves able to show some boldness and to appeal more openly for armed support. John Mordaunt, a brother of the Earl of Mordaunt, was daunted by no difficulties, and was able without great danger to carry on correspondence with probable adherents, to pass backwards and forwards between the exiled Court and England, and to concoct armed risings in various parts of the kingdom. The King took up his residence *incognito*

at Calais, in readiness to sail for England and put himself at the head of the levies whose gathering was confidently hoped for. The Duke of York was close at hand at Boulogne. To the more cautious counsellors like Hyde the schemes seemed hazardous and the time unripe for them. But even he could not refuse some response to affections so warm and efforts so courageous as those of Mordaunt. At the beginning of August all, it was hoped, would be ready for a series of successful risings in different parts of the country.

There was indeed abundance of enthusiasm. From all parts of the country offers of risings came. Sir George Booth was to seize Chester; Lord Newport, Shrewsbury; and in Gloucestershire, Devonshire, Herefordshire, Worcestershire, and North Wales, the Royalists were only too eager for the work. The ludicrous weakness of the Parliament made it a matter of no great danger to defy what could hardly be deemed an existing Government. But the Royalists had been too long depressed and deprived of any share in administration to take a just measure of the difficulties. They reckoned without the army that was at the back of Parliament.

They reckoned also without that treachery which had only too ample opportunity to work, amidst plans and associates so scattered and so lamentably disorganized. A traitor was now, as often in these Royalist plottings, received into their full confidence, and through him a detailed account of all their plans was sent to Thurloe.[1] Hyde learned that

[1] John Thurloe was born in 1616, and became a lawyer. He obtained active employment under the Parliament, and was Secretary to the Parliamentary Commissioners at Uxbridge. He acted as Secretary to Cromwell for secret correspondence, and amassed enormous experience in the intricacies of foreign diplomacy, which afterwards stood him in good stead when, after the Restoration, he wished to make himself useful to the new Government, and thus escape the penalties which his former political attachments would certainly have involved. Until the Restoration was all but accomplished he gave useful help to Richard Cromwell, but yet was able to ingratiate himself with the new Ministers.

Sir Richard Willis,[1] who had already played a double game of treachery, was acting as he had acted before, when he betrayed Ormonde's presence in London to Cromwell, and at the same time enabled Ormonde to escape by telling him of Cromwell's knowledge. Willis's betrayal gave the Parliamentary leaders time to collect forces sufficient to meet all attacks; and when he had thus baulked the attempt, Willis was ready to discover enough to prevent those whom he had betrayed from falling into the trap. Messages were sent to delay the rising, and in most cases they were in time to prevent outbreaks which were fore-doomed to failure. Only Sir George Booth, in the seizure of Chester, and Middleton, in the North Wales rising, actually carried out what had been planned. A very brief campaign sufficed for Lambert to crush the nascent rebellion. Booth and Lord Derby[2] were prisoners in the hands of Lambert; and Middleton was compelled to consent to the destruction of his house, Chirk Castle. Once more a brief gleam of hope was succeeded by more profound despair, and there was nothing more to be done by Charles and the Duke of York than to return from the French coast to Brussels. But there was no Cromwell to crush future attempts by a policy of ruthless revenge. A few prisoners were taken; but the time was past for trials and executions. Legal processes were beyond the range of the sorry faction that stood for administration in England.

[1] Sir Richard Willis had done good service to the royal cause in the war. As a close adherent of Prince Rupert, he became, when Governor of Newark in 1645, involved in one of the many quarrels between the Civil Commissioners and the army officers. Charles I. removed him from the Governorship, but desired to do so without friction by providing him with a post in his own escort. Willis's insolence in refusing this roused the King's anger so far as to lead him to banish Willis from his presence. Willis was a good soldier, rendered mutinous by the bad example of Prince Rupert; but it is hard to account for his present treachery. As Warburton, in his note on the *History of the Rebellion* (Bk. XVI., para. 31) says, "he could not think of starving for conscience' sake, though he had courage enough to fight for it."

[2] Son of the Earl who played so noble a part in the war, and who was executed after the battle of Worcester in 1651.

But scarcely had these abortive attempts been crushed before another avenue of hope opened itself to Charles and his adherents. It was one for which Hyde had no great liking, and from which he expected little good result. But obviously it was not to be neglected. After a long, barren, and destructive war, both France and Spain were eager for peace. Neither was ready to make the first overtures, and neither would confess an ardent desire for peace. But an opportunity occurred, now that a wife had to be found for Louis XIV. The Infanta of Spain offered a consort entirely suitable, and a marriage might be arranged with the better augury if it should prove a method of bringing to an end a mutually destructive war. Mazarin viewed the proposal with suspicion, and was unwilling to conclude a peace when the success of French arms seemed already secure. But the Queen-Mother of France ardently desired the marriage, and mainly by her efforts Cardinal Mazarin and Don Lewis de Haro were induced to treat. Most men thought that the design was a vain one, fomented only in the enthusiasm of family ties. But the desire for a cessation of a useless struggle operated more powerfully than Mazarin was able to perceive ; and that desire overcame the delays and doubts of diplomatic action. The time and place of meeting to arrange a treaty of peace were fixed ; and there was at least a fair prospect that the two Kings might soon find themselves with free hands, and with greater power to prosecute the forcible restoration of Charles II. to his throne. Both had often alleged that only the poverty of their exchequer and the heavy expenses of the war prevented any cordial and effective assistance being rendered to the exiled King. What claim to consideration might Charles not make good, what sound reasons of policy might it not be possible to suggest, if both were relieved of the burdens of war ?

Hyde, as we have abundant reason to know, placed no

confidence in foreign aid, and looked with suspicion upon the conditions under which it would be granted. But he could interpose no obstacles to the present application. He himself remained at Breda, and held the threads of all the discrepant and varying negotiations ; but he did not attempt to dissuade Charles from making a somewhat venturesome and hopeless voyage to Fontarabia, where the Treaty was being discussed in September, 1659. At first Charles attempted to procure a pass from Cardinal Mazarin. But in the face of opposition by the Queen this was hopeless, and, accompanied only by Ormonde and Bristol and a small retinue, he made his way, *incognito*, through France. Even in the strain of anxiety Charles's natural disposition showed itself in wasting time in order to see parts of France which he had not yet visited. The pleasure of the moment always weighed with him more than the prosecution of business. Adversity, perhaps happily for himself, made him callous rather than despondent.

The business of the treaty between France and Spain meanwhile advanced more quickly than any one had ventured to hope. The difficulties as to France's pledges to Portugal, and those of Spain to the Prince of Condé, were somehow settled—or, at least, ignored. If France had to yield to some pressure on the part of Don Lewis de Haro, she avenged herself by retaining her hold on those former Spanish possessions in Flanders which the fortune of war had placed in her hands. Sir Henry Bennet represented Charles in Spain, and was sorely perplexed when the final ratification approached, and the King made no appearance. Ormonde had been sent to Fontarabia, but Charles lingered at Toulouse, before proceeding from there towards Madrid. His presence there was not desired, and he found himself compelled, after roundabout journeys, to put in an appearance at the scene of the treaty. Both France and Spain held out

delusive hopes of aid. Don Lewis presented him with a dole of seven thousand pistoles, and promised a good reception on his return to Flanders. There was nothing for it but to make his way back to Brussels, and join once more in the plans of Hyde and his council there. He found the prospect no more cheerful than before.

During the autumn matters had moved forward in England. Lambert had strengthened his hold upon the army, and now pressed its authority more urgently upon the discredited Parliament. He demanded that Fleetwood (whose weakness made him an easy tool) should be General, and that he himself should be Major-General. The Parliament, under the leading of Hazlerigg and Vane, still resisted his claims, and attempted to defy him. Their resistance was easily overcome. Lambert met Lenthall, the Speaker, on his way to the House, compelled him to return home, and by main force closed the Parliament. In its place was established a Committee of Safety of twenty-three members, to which the administration was entrusted. Besides officers of the army and some London citizens, certain representatives of the Parliament were granted seats upon it. Lambert seemed, for the moment, to be completely master of the situation, and the Royalists conceived hopes that they might secure for their own cause the assistance of the leaders of the army. Fleetwood, however, lost his head, and would not act without the permission of Lambert. In December he escaped from responsibility by resigning his commission. Lambert would have been a stouter ally; and overtures seem to have been made that he should declare for the King, and that his daughter should be the wife of Charles. Such proposals met with no encouragement from Hyde, and were quietly dropped. Once more Lenthall, and the remnant of Parliament which he represented, recovered their courage and showed some energy. They met again on December 12th,

and were able to assert their authority enough to cashier some of the officers, and commit Lambert to the Tower. Such was the position when Charles returned to Brussels with the scanty fruits of his mission to Fontarabia. It looked as if once more that Rump Parliament, which had crushed the monarchy and abolished the House of Lords, was master of the situation. To one watching events from a distance like Hyde, parties and persons must have appeared to chase one another in a bewildering dance, like antic figures reflected on a screen.

Then it was that there came forward on the scene the man who, under the guidance of circumstances rather than of any fixed line of policy, was to be the main instrument of the restoration of the King. General Monk[1] was now supreme in Scotland, where Cromwell had placed him in command. Parliament looked to him as the only possible counterpoise to Lambert. Hyde placed no great reliance upon him, and shrewdly judged that he was one whose actions would be governed by events rather than one whose foresight and initiative would direct the progress of those events. He

[1] George Monk was born in 1608, and very early sought his fortune in war abroad, where he showed conspicuous bravery. In 1629 he served for a time with the Dutch; but came back to England when the army was levied in 1639 to act against the Scots. He was afterwards employed against the Irish rebels, but joined the King at Oxford, and when fighting in the Royalist ranks was taken prisoner, and committed by Parliament to the Tower. He was afterwards released to serve in Ireland, apparently with no settled purpose of deserting the Royalist cause. He served there long, and in 1650 went with Cromwell to Scotland, commanding a new regiment, which afterwards became the Coldstream Guards. From that time he became the close friend of Cromwell, and at one time commanded the fleet in some successful actions against Van Tromp. In the later years of the Commonwealth the Government of Scotland was virtually in his hands. His military powers were far greater than his discernment or capacity as a statesman.

His wife was the daughter of John Clarges, a farrier in the Savoy, and, to a reputation that was none of the most savoury, added the manners of a kitchen-maid and a slut, and the avarice of a usurer. Her brother, who was an apothecary, became employed through the influence of Monk. He carried over to Charles the flattering message from Parliament in May, 1660, and was then knighted. As Sir John Clarges, he had a long and active Parliamentary career, and did not die till 1695.

GEORGE MONK, DUKE OF ALBEMARLE.

(From the original by Sir Peter Lely, in the National Portrait Gallery.)

had abundant military experience, was a competent commander, and not only by family tradition, but by his own early action in the war, he was judged to be no obstinate enemy to the royal cause. But long association with Cromwell had committed him, to all appearance, indissolubly to the opposite cause; and, if he had no political prescience, he was, nevertheless, eminently cautious, and was not liable to be led astray by any fervent attachment to special views either in politics or religion. His wife, who was a coarse and low-born drudge, was guided by the fervour of her Presbyterian advisers; but her religious zeal had no influence over the calmer temper of her husband. At a juncture like the present it required no abnormal sagacity to convince Monk that the only possible course open to him was that of impenetrable secrecy as to his designs—even had he been more certain himself as to what these designs might be. With admirable deliberation—for intellectual dulness, on rare occasions, can assume the aspect of Machiavellian design—he laid his plans for a non-committal policy. He made himself safe in Scotland by inducing the Scottish Parliament to give him a considerable grant of money, and by leaving behind him a sufficient portion of his army to maintain a firm hold on the Government there. With a moderate force of about 5000 men, he slowly advanced towards London. Parliament had invited him; but they soon saw that Monk was not likely to be their obedient servant, and would fain have induced him to return. Monk none the less advanced; but it was with the utmost deliberation and circumspection, crossing no Rubicon, and breaking no bridge behind him. No word in favour of a royal restoration passed his lips. He frowned on all who ventured to suggest such a course. At each stage in his advance he pronounced, with edifying conviction, his determination to maintain the authority of Parliament; and if the announcement

bore also the condition that the Parliament should be free, that was a condition to which none could fairly object, and which did not seem to lessen the soundness of Monk's Republicanism. If his sphinx-like attitude proceeded more from inability to discern the line of least resistance, than from conscious dissimulation, or any deliberate concealment of a far-seeing policy, it nevertheless was pursued with much adroitness, and no other course of action could have enabled Monk to accomplish all he did. It was this which secured for him an apparently grateful and cordial reception from the Parliament, although it dreaded his presence, and would gladly have heard that he had begun his march back to Scotland. He arrived in London early in February; and his unwilling hosts had no alternative but to bow to an outwardly friendly authority which they had no means of resisting.

In the whole proceedings, from this time forward, there is a distinct element of comedy, which comes as a welcome relief after the long tragedy of Hyde's narrative, and which, even though he wrote it looking back over an interval of checkered years, is apparent in the altered tone of that narrative. Monk had marched slowly on the capital. When he arrived at St. Albans, he halted there, and sent to Parliament to represent the inconvenience that might arise from the presence of troops that had proved unfaithful, and to ask for their removal. There was nothing for it but to obey. Even this was not easy, because the discarded troops proved restive and were on the point of mutiny. But their officers had disappeared, and they were at length persuaded to leave the City clear for Monk's approach. When that was arranged, he marched through the City and the Strand to Westminster, and took up his appointed quarters at Whitehall. He was received in the House of Parliament with every honour. The man whose intentions they more than suspected, and

whose presence they would gladly have dispensed with, was told that he was a public benefactor whose happy intervention had saved the State. "His memory would flourish to all ages," and Parliament would ever be grateful for his support in time of need.

"The general was not a man of eloquence, or of any volubility of speech." But he assured them of his unalterable fidelity. He told them of the addresses that had reached him at every stage of his southern march, and of the general desire "for a free Parliament." As that was just what they were not, the avowed profession of his ardent agreement with this desire, however constitutional, was hardly fitted to remove their uneasiness. They were in the utmost straits for money. The exchequer was empty, and their authority was not sufficient effectively to impose taxation. They demanded advances from the City, and were roughly told that no advances would be made except on the authority of a freely elected House. Would Monk support them in this contest? He was asked to march into the City, to restore order, and, as a sign of it, to destroy the ancient city gates. So far Monk seemed to comply with the demands of his nominal masters. He overawed the citizens, and executed the orders of the Parliament upon their portcullises and gates. For the moment Parliament conceived its authority to be vindicated. But with singular folly they accepted, with favour, an absurd petition from Praise-God Barebone and his friends, who inveighed against all who would question the power of the Rump Parliament, and pressed for stern measures on all who presumed so much as to name the restoration of the King, or who would not abjure any Government in the hands of a single person. This roused the keen animosity of the officers, and decided them to press on Monk an alteration of his course. Once more he visited the City; but this time not as an enemy, but as a friend. In

good round terms he rated the Parliament for countenancing the wild ravings of a dangerous rabble. He demanded that by a certain date they should issue writs for a free Parliament and bring their own sittings to an end. Their hopes were at once scattered to the winds; and in the wild tumult of bonfires and rejoicings with which Monk's declaration was celebrated in the City, they saw the death-knell of their own power. In the licence of recovered liberty many toasted the King's health, and there was none to say them nay.

Monk returned to Whitehall, and summoning some of the members to his presence, he delivered to them in writing his views—equivalent to his commands—as to the course which must be followed. He pointed out how all Government was now subverted, and how necessary it was that it should be repaired. He indicated his preference for a Commonwealth, and saw in a moderate Presbyterianism the most promising religious settlement. But, in truth, these were only hints as to the future; the immediate matter was the issue of writs for a new Parliament which should decide as to the ultimate arrangement. Only he was careful to give no sign of any readiness to restore the King. At this stage, that might have proved a compromising definition of his intentions.

The first step was to restore to their places in Parliament all who had been excluded in 1648 by Colonel Pride. On February 21st, all those who remained of the Long Parliament once more assembled at Westminster, and the majority soon reversed the action of the Rump. Military commands were taken from the sectarian fanatics, and replaced in the hands of men of station throughout the land. Temporary provision was made for revenue, and the city readily advanced what was required upon the credit of the Parliament that was yet to meet. Writs were issued for a new Parliament to

meet on April 25th. On March 17th the Long Parliament was finally dispersed.

The Court of Charles at Brussels had meanwhile undergone all the anxieties of alternating hope and despair. Monk's action against the city had confirmed their worst forebodings; but "these fogs and mists," says Hyde, "were soon dispelled." It was only a few days later that better news reached Hyde. Late one evening, Ormonde brought a young man to the Lord Chancellor's lodgings, which were just beneath those of the King. The young man [1] looked "as if he had drank much, or slept little." He had just travelled with all expedition from London. From Lambeth, where he had been in a sort of nominal confinement, with others of the King's friends, he had heard the sound of the bells which had rung out when Monk came back to the city as a friend, and had pronounced for a free Parliament. He had crossed the river and viewed the scene of rejoicing in Cheapside; had seen the bonfires, and heard the health of the King toasted. He had joined in open proposals for the restoration of the rightful sovereign; and straight from those unwonted experiences he had taken post for Dover and crossed to Ostend.

It was hard to say how much comfort could be drawn from this report. The messenger had brought a copy of Monk's published declaration; but that contained no word about the restoration of the King. Even were his friends encouraged to action, it was idle to hope for success in arms without foreign aid; and Charles and Hyde knew how small were the chances of such aid. Were the unpurged Long Parliament restored, what better could be hoped from them than that they would open negotiations upon the basis of the old treaty at Newport, which the late King "had yielded

[1] "The man's name was Baily; he had lived most in Ireland, and had served there as a foot-officer under the Marquis (Ormonde)" (*Hist. of Rebellion*, Bk. xvi. p. 139).

to with much less cheerfulness than he had walked to the scaffold"?

The portents, however, continued to be favourable. Addresses were received from many whose favour for the royal cause had, hitherto, been unsuspected, and whose new-found loyalty might well be accepted as an indication of a change in the temper of the nation. Patience was still the watchword urged by Hyde. The issues were ripening, and even now he may have anticipated that bloodless restoration towards which the current was quickly carrying the people.

A new danger suddenly arose, by the escape of Lambert from the Tower in April. His influence in the army was unrivalled, and he alone could raise a counterpoise to the power of Monk. So long as his rival was at large, Monk could not, except at imminent risk, have declared himself more decidedly. To do so would have aroused opposition that would have strengthened that rival's hands. But Lambert's efforts were unavailing. Had he been able to remain in London, Hyde thinks he might, in time, have organized an effective opposition. Instead of this he felt it needful to strike at once. He made his way to Buckinghamshire, and from that county and Warwickshire he was able to collect a considerable force. Colonel Ingoldsby was despatched in pursuit of him, and soon overtook him at Daventry in Northamptonshire. Ingoldsby had been a strong adherent of Cromwell, and (as he asserted, against his will) had been forced to sign the death warrant of the King. He had now an opportunity of rendering a service that might wipe out some heavy scores against him. Lambert at first endeavoured to detach Ingoldsby from his allegiance to Monk, by offering to espouse the cause of Richard Cromwell. But Ingoldsby rightly judged that such a scheme was doomed to failure. Lambert's troops refused to fight and fast deserted him, and

GENERAL LAMBERT.

(From the original by Robert Walker, in the National Portrait Gallery.)

he was easily made prisoner and once more committed to the Tower.

During the interval between the Dissolution on March 17th, and the meeting of the new Parliament, the administration was in the hands of a Council of State, which acted with Monk's concurrence. The hopes of the Royalists grew apace, and prominent members of the party no longer hesitated to take an open part in political discussion. The command of the Fleet was put into the hands of Monk—" the General," as he was called—and Admiral Montague, and the latter was known as one well disposed to the King, and ready, even at an earlier date, to have taken active steps for his restoration. Monk alone kept up his prudent reserve. Even in April he continued to express himself as strongly averse to the restoration of monarchy. A conference of some leading men took place at Northumberland House. The Earl of Northumberland, the Earl of Manchester, Sir William Waller and others whose political inclinations were in sympathy, joined in that conference, and Monk took part in it. Even then, amongst men whose leanings were all in favour of the King, he deemed it necessary to maintain an attitude of doubt, and refused to consider the possibility of a Restoration without conditions as stringent as those that had been pressed in the last stages of the civil war.

The final steps were carried out through the agency of well-tried adherents of the King, who were connected by old ties of friendship with Monk. A gentleman of Devonshire—with which county Monk was closely connected by ties of property—named William Morrice, had there spent a studious life, but was understood to have leanings towards the Royalist party. A friend of that unsullied loyalist, Sir Bevil Grenville, Morrice had been left in charge of his family, now represented by young Sir John Grenville, the son of Sir Bevil. Monk and Morrice had both been chosen members

of the new Parliament, which was to meet on April 25th, and Morrice, who was in close touch with Monk, was vexed to find that all proposals for the restoration of the King were coupled with severe conditions, and were to be based upon acknowledgment of the binding force of the Covenant. Monk took note of the dominance of the Royalist party in that new Parliament, and soon concluded that matters were likely to move in the direction of a Restoration, whether with his aid or no. Day by day he became more inclined to be the foremost instrument of that now inevitable Restoration. Grenville was of too pronounced Royalist tendencies to be given any active part in what were still unavowed designs; but he might be a useful instrument in the confidential negotiations. He had credit enough with Hyde and the counsellors of the King to be accepted without those written credentials with which it would have been dangerous to entrust him. Morrice brought him secretly to Monk, who bade him confer with Morrice as to the terms of the communication to the King. Morrice fully instructed him as to the position. Monk's good inclinations were to be conveyed to Charles, and he was to write in terms which Monk could make public at the convenient time. The King was to promise a very wide pardon for past offences, full liberty of conscience, the payment of arrears of pay to the army, and the confirmation of all sales of forfeited lands. Without such stipulations, the waverers, it was thought, would be driven by despair to resist any scheme of restoration. As a special charge, Monk bade Grenville insist that Charles should move from Brussels to Breda. No trust could be placed in the fickle favour of the Spanish Crown. Thus primed, Grenville sailed, early in April, with Mordaunt, and arrived in due course at Brussels. The over subtlety of the Spanish ministers made them believe that the Restoration, if accomplished at all, would be brought about by the Levellers and Independents, who would bring

back the King with nothing more than a semblance of power. An alliance with them alone, it was thought, would be the safest course for Spain. Nothing could persuade Cardenas and Don Lewis de Haro that Charles would be restored on conditions that virtually obliterated all the changes that the civil war had brought about.

It was evident to Hyde that the conditions laid down by Monk could only be complied with under very strict reservations. There was no wish to revive old quarrels, or to deny any fair measure of indemnity, and just as little did Charles desire to alienate the whole body of religious feeling outside the Church. But it was not consistent with the honour of the King that the indemnity should extend to the murderers of his father; nor was it possible to leave order in the Church at the mercy of contending fanatics. It was not difficult to devise a course which should make every reasonable concession to the proposals of Monk, and yet not destroy the hopes of those who looked forward with passionate earnestness to the restoration of the old order, and were not prepared to accept as partners in their future Government those who had formed the Court which had condemned the King. In spite of his long absence from England, Hyde had kept himself well informed on the trend of general feeling, and he judged that such matters could safely be left to the national tribunal. All the disputed points were left to be settled by Parliament. The action of the King was left free; but on the other hand no constitutional objection could be raised to the reservation of doubtful matters for the judgment of a free Parliament.

It was on these lines that the letters which Grenville was to carry from the King to Monk were drafted by Hyde. One letter was addressed to Monk and the Army; one to the House of Commons, and one to the House of Lords. Montague received one addressed to the Navy; and the last was addressed to the Lord Mayor and the City of London. When

these letters were prepared, the return of Grenville and Mordaunt from their secret mission was delayed only in order that they might carry back word to Monk that the condition upon which he insisted would be carried out, and that the King would move from Flanders to Dutch territory. That design had to be carried out promptly if it were to be carried out at all. There was good reason to fear treachery on the part of Spain, and she might even so far break the laws of hospitality as to prevent the King's change of abode, and so cripple negotiations that might spoil her alliance with the anti-Royalist party. It was only by the unexpected promptitude of the move that Charles and his little Court were saved from possible delays which Spain could, under the guise of punctilious courtesy, have interposed. Hyde had sure information from an Irishman, then in Cardenas's employment, that such a design was on foot. He at once communicated with Charles, and by three o'clock in the morning, the King had started from Antwerp—which he had already reached in his journey from Brussels to Breda. Before his departure was known, he had already crossed the border.

From Breda, Grenville and Mordaunt were despatched to England, with their batch of all-important letters. No pains were spared to confirm the new-found loyalty of the General, and to assure him of the gratitude of the King. It was in compliment to him, and on Grenville's suggestion, that William Morrice was appointed to the Secretaryship of State, vacant in consequence of the Earl of Bristol having joined the Roman Catholic Church. All the letters were entrusted to the General, and although those other than his own were sealed, copies were supplied to him, so that he might know their contents before they were delivered and read. At the same time a Declaration was issued under the Privy Seal, pledging the King " to grant a free and general pardon " to

all his subjects who, within forty days, should throw themselves upon his mercy, "excepting only such persons as shall hereafter be excepted by Parliament." For religious differences, it was provided that they should be settled by Act of Parliament, to which the King pledged his consent.

The messengers reached London a week before Parliament was to meet. The General approved the letters, and found no difficulty in the reference to Parliament of those points on which the King was not prepared to give an unlimited pledge. The fact was that the time was already past for haggling about terms. The tide of loyalty was now flowing with a rush that nothing could stem. A month ago, careful observers might say that the question was no longer whether the King was to be restored, but only as to the terms on which the Restoration was to take place. Now, the question of terms was already settled; the only point remaining was, who were to have the prominent parts as agents, and were to be counted as deserving the chief share of gratitude.

On April 25th the new Parliament met, and Sir Harbottle Grimston, who had been one of the Long Parliament members, excluded in 1648, was chosen Speaker. There was no long doubt as to the spirit of the new House. The memory and the deeds of Cromwell were condemned with no uncertain voice. They waited only for the oracle to speak before they resolved to take the final step, and vote the restoration of the King. Not till May 1st did Monk think fit to disclose his intention. He then announced that Sir John Grenville was present with letters to himself and to Parliament. With almost unnecessary parade of ceremony he stated that both were sealed and that he would read his own only by their direction. With due gravity the pretence was carried out, and the letters and Declaration produced a joy, which arose not so much from their terms as from the fact that their delivery by the General opened the door for the free flow of

pent-up loyalty. It was no moment for weighing details, or for balancing conditions. The nation was sick to death of the heavy burden that had crushed their life for twenty years. The voice of the constitutionalist was silenced as effectually as the murmurs of the fanatic and the growls of the defeated republican. The Presbyterians spoke in vain of the Covenant; the more moderate found themselves little heeded when they spoke of taking securities before the King was restored. "The warmer zeal of the House threw away all those formalities and affectations." They were not "to offend the King with colder expressions of their duty." The letter that was sent left nothing to be desired in the lavishness of its loyalty. Sir John Grenville was complimented, and before he was despatched with their reply to the King's letter, he was presented with £500, "to buy a jewel to wear, as an honour for being the messenger of so gracious a message." "So great a change was this," says Hyde. Three months before Grenville might have suffered a shameful death if he had been known to have interviewed the King; he was now rewarded for bringing a message from him.

Amidst the general rejoicings the sons of the great Protector passed ignominiously and unheeded from the scene. Never had a great edifice of power, raised by consummate strength of will, and proud ambition, toppled so easily to the ground. Richard—that "child of fortune" as Clarendon calls him—and his brother Henry, the Lieutenant of Ireland, were puppets in the hands of each successive faction. They had readily yielded any phantom of power they possessed into the hands of the army officers, and when the Restoration took place they did not receive even the compliment of notice, as items to be counted in the sweeping change. Amidst the national joy, the poor wretch upon whom there had descended an inheritance that he was not fit to bear, "found it necessary to transport himself into

France, more for fear of his debts than of the King, who thought it not necessary to inquire after a man so long forgotten." [1] Clarendon points the dramatic contrast of this contemptible exit by introducing a story of a later day. In his subsequent wanderings abroad, Richard Cromwell visited Pezenas, in Languedoc, where the Prince of Conti was Governor, and according to usage he waited upon the Prince, but had the caution to make the visit under another name. The Prince "received him with great civility and grace, according to his natural custom, and, after a few words, began to discourse of the affairs of England and asked many questions concerning the King." He proceeded to discuss the late Protector. "Well," said the Prince, "Oliver, though he was a traitor and a villain, was a brave fellow, had great parts, great courage, and was worthy to command; but that Richard, that coxcomb, *coquin, poltron,* was surely the basest fellow alive. What is become of that fool? How was it possible he could be such a sot?" His visitor did his best to lay the blame of the miscarriage on the betrayal of Richard by his advisers. But, fearing to be known, he speedily withdrew, and next day left the town. To such abasement had the name of Cromwell fallen; and with this strange episode it disappears from Clarendon's pages.

On May 8th, the King was proclaimed at Westminster Hall and in the city; and bonfires and rejoicings took place, on a scale more prodigious even than when Monk had declared for a free Parliament. The happy news soon spread, and the exiled court was the resort of those who came post-haste to renew old bonds of loyalty, or to lay the foundations of a reputation for new-born zeal for their King. It was not long before those very lukewarm allies, Spain and France, broke down the barriers of their selfish caution, and vied with one another in protestations of friendship and offers

[1] *Rebellion*, xvi. 374.

of help that was no longer necessary. The unaccustomed warmth of their congratulations adds a new touch of comedy to the surprising scene. The Marquis of Carracena, Governor of Flanders, who had turned a deaf ear to all suggestions of alliance, and had not been slow to hint the inconvenience of the King's prolonged stay in Flanders, now craved his return to Brussels, and when the invitation was politely declined, could only vent his rage on Cardenas, whose dense stupidity had left him so ignorant of all English affairs, after a residence there of sixteen years. Cardinal Mazarin persuaded Queen Henrietta to send Jermyn (now Earl of St. Albans) to invite the King to France. Against that suggestion also, good excuse was pleaded—" the King had declined to return to Brussels, and could not therefore pass through Flanders in order to go to France." The mockery of these shameless overtures of belated friendship might well add to that cynicism which his experiences had done so much to imprint on Charles's heart and brain.

Crowds now came to Breda, no longer as disguised fugitives, but in eager rivalry to have their loyalty published and recognized. Their money offerings were welcome, as they enabled the King to pay his servants their arrears of wages and clear himself from the burden of debt to which he had been long accustomed. The States-General of Holland besought him " to grace the Hague with his royal presence," and received him with all the honour that an anxious ally could display, and all the pomp of magnificence which their wealth enabled them to lavish on the festivities with which they marked his visit. A few days later, letters were brought from Montague, who commanded the fleet, to announce his presence on the Dutch coast, and to ask the orders of the King. The Duke of York assumed the supreme command, and a day was passed in receiving the catalogue of the Fleet, and renaming those ships which recalled dismal

memories of the Commonwealth. Soon after, the deputation from the Lords and Commons arrived at the Hague, bearing the supplication of both Houses "that his Majesty would be pleased to return, and take the Government of the kingdom into his hands," and as an earnest of their loyal duty they presented £50,000 to the King, £10,000 to the Duke of York, and £5000 to the Duke of Gloucester. A deputation from the City attended at the same time, to tender their loyalty to the King, and to make an offering of £10,000. It was little wonder that the King, who a few weeks before was hard put to it to borrow a few pistoles, and was deep in debt for the maintenance of his household, should receive such messengers with overflowing welcome. The citizens of London were sent home rejoicing in the honour of knighthood—in abeyance for twenty years, and now conferred on the whole of the deputation.

At the same time there arrived a deputation of the Presbyterian clergy who had different aims in view. They could lay no lavish offerings at the King's feet, and could bring no contribution to the tide of spontaneous loyalty. But they could plead that they had had no lot or part in the fight against the monarchy or in the murder of the King, and that they had given some effective aid in the resistance to the Commonwealth. Could they not manage to secure beforehand some compliance with their religious views, some concessions to tender consciences, some hope that the ceremonies, which their souls hated, would be dispensed with? The Book of Common Prayer had been long disused; might it not be relegated to permanent abeyance, like the feudal tenures, which all agreed should be swept away? Might not, at least, only parts of it be revived, to be mingled with more edifying forms of extempore prayer?

This was precisely what Hyde was not prepared to concede, and Charles answered in the spirit that he would have wished,

and must have prompted. The King was ready to give toleration to tender consciences, but he claimed liberty also for himself. In his own presence and by his own chaplain, the Common Prayer Book should certainly be restored. "He would never discountenance the good old order of the Church in which he had been bred." We can have little doubt by whom this answer was inspired. The Presbyterian ambassadors were forced to return with the consciousness that the day of their triumph was gone, and that the Church would oppose to their pretensions a front of resistance as determined as that of the Independents.

On May 24th, Charles sailed in the ship, lately named the *Protector*, but now rechristened as *The Prince*. On the 26th he landed at Dover, and on May 29th, he was back in the Palace of his fathers, and the universal acclaim evinced the heartfelt joy with which his people hailed the restoration of their King. The ship which Hyde had steered so long and warily was safe in port. A new and perhaps harder task awaited the pilot.

CHAPTER XV

PROSPECT FOR THE RESTORED MONARCHY

The task which fell to Hyde during the early months of 1660, in gauging the various influences at work in the country from which he had been banished for fourteen years, was one of acute difficulty. He had been, it is true, in constant correspondence with men whom he could trust; but the letters which reached him from Sheldon, from Lord Mordaunt, from Grenville, and from Brodrick—to name only a few of those who gave him their impressions from week to week—had spoken in various degrees of hope and fear, and given him very different accounts of the state of parties. These parties had greatly shifted their attitude during the years of his banishment. Many of those upon whom dependence had to be placed—such, for instance, as Morrice, the close adherent of Monk, and now Secretary of State—were personally unknown to him. Some of the strongest supporters of a restoration were men who had been conspicuous as adherents of Cromwell, and yet it became increasingly clear to him that their support was even more valuable than that of some whose loyalty was of older date. The Presbyterians and the Roman Catholics had specious claims to advance for consideration; and even the Levellers, the Anabaptists, and the Independents had motives, which dexterous manipulation might foster, and which might make them ready to support the cause of the King, especially now that it was in the ascendant. Amidst the strong tides

which were running under the influence of shifting currents of popular opinion, principles were thrust to the wall, and each party, like each individual, was chiefly occupied in looking after personal interests, and adjusting views so as to suit the change of the national situation. No one was sure of anything except that the political quicksands were moving rapidly, and that it behoved them not to be behind others in forming advantageous alliances.

The mood of the time could not be painted in more impressive words than those which Hyde uses, after the manner of Thucydides in describing the moral effects of the Peloponesian war.

"In a word, the nation was corrupted from that integrity, good nature, and generosity, that had been peculiar to it, and for which it had been signal and celebrated throughout the world; in the room whereof the vilest craft and dissembling had succeeded. The tenderness of bowels, which is the quintessence of justice and compassion, the very mention of good nature, was laughed at and looked upon as the mark and character of a fool; and a roughness of manners, or hardheartedness and cruelty, was affected. In the place of generosity, a vile and sordid love of money was entertained as the truest wisdom, and anything lawful that would contribute towards being rich. There was a total decay, or rather a final expiration of all friendship; and to dissuade a man from anything he affected, or to reprove him for anything he had done amiss, or to advise him to do anything he had no mind to do, was thought an impertinence unworthy a wise man, and received with reproach and contempt. These dilapidations and ruins of the ancient candour and discipline were not taken enough to heart, and repaired with that early care and severity that they might have been, for they were not then incorrigible; but by the remissness of applying remedies to some, and the unwariness in giving a kind of countenance to others, too much of that poison insinuated itself into minds not well fortified against such infection, so that much of the malignity was transplanted,

instead of being extinguished, to the corruption of many wholesome bodies, which, being corrupted, spread the diseases more powerfully and more mischievously." [1]

The ignoble struggles of callous selfishness were made all the more desperate by the bewildering confusion of the political situation. The most difficult problem had been the attitude of Monk, and that was all the more baffling from the fact that Monk had no clear discernment of his own line of policy, and with all his accidental command of the situation, was too obtuse to choose his own course and follow it consistently. The Presbyterians were monarchical in sympathy, and dreaded the Independents too much to be willing to revert to republican forms; but their determination to alter the ecclesiastical traditions of the Church could not be encouraged without losing the support of the main body of Royalist opinion. The Roman Catholics hoped for toleration, but their hopes could not be indulged without arousing the anti-Catholic prejudices of the nation. The reviving aspirations of the Church had to be fostered, but the extravagance of her hopes of revenge for past wrongs had to be kept in severe check. Hyde himself was too little known by the new generation to be cordially trusted, and he had to reckon on the implacable opposition of those who believed that his influence over the King would make him absolute as Minister. He was left in no doubt as to the slanders which gathered round his name, and as to the personal jealousy of his power. For a time it seemed doubtful whether the Restoration could be accomplished without an express condition that the King should return without his chief adviser. Between Hyde himself and the Presbyterians the feud was too old to be appeased. The Roman Catholics recognized that their hopes of toleration from the King might be frustrated by Hyde's sturdy

[1] *Life*, i. 360.

Protestantism. Monk was jealous of his influence, and his jealousies were fostered by his wife, who was under the dominion of the Presbyterian clergy. No pains were spared to stir up suspicion against him. "By stories artificially related both to the General and his Lady," writes Lord Mordaunt to him on May 4th, 1660, "your enemies have possessed them both with a very ill opinion of you, which has showed itself by several bitter expressions very lately uttered at St. James's." The Duke of Buckingham,[1] ever a zealot in any design of mischief, was doing all he could, wrote Mr. Brodrick, to spread evil tales of him, and to inspire the Royalists with the opinion that Hyde's influence would destroy their hopes. Hyde himself was ready to remain in exile rather than that his return should prejudice the cause of the King. But the very malice of his enemies overshot the mark. He had friends who knew his worth, and Ormonde and Southampton were staunchly loyal to him. It is to the credit of the King that he spoke in no uncertain tone.

[1] George Villiers, second Duke of Buckingham, was born only a few months before his father's assassination, in 1628, and, from his affection to the Minister whom he had lost, Charles had his son brought up with his own family. Curiously enough, William Aylesbury, brother-in-law of Hyde, was at one time the tutor of the young Duke. Buckingham took part in the war as a very young man, and was one of the leaders in the second Civil War, in 1648. His property had before this been confiscated, but he had secured favourable terms by an arrangement with the Parliament. This time it was again confiscated, and he narrowly escaped death by flight to the Continent. He was a prominent member of the exiled Court; but his open irreligion, his flighty character, and his continual plotting as an adherent of Prince Rupert, alienated him from the party of Hyde. His wit and personal charms won for him many friends, but his life was one perpetual succession of reckless schemes and bitter quarrels, in which his Royal master was often involved. He fought at Worcester, but his arrogance prompted him to demand the generalship of the army, and he resented the King's refusal by boyish sulkiness. In 1658, he again returned to England, and married the daughter of Fairfax; but this was in defiance of Cromwell, from whose vengeance he was probably saved only by the Protector's death. He was restored to his vast possessions after the King's return, and then began that long and restless career of varied intrigue, which won for him, in later days, the character of Zimri, in Dryden's Satire, and during the next few years made him the embittered foe of Clarendon.

"It is not to be wondered at," he wrote to Sir Arthur Apsley on April 29th, "that at the same time that I have so many enemies, those that are faithful to me should have some; and it is from some of those who are not much my friends, that the report comes that the Chancellor should have lost my favour. The truth of it is, I look upon the spreaders of that lie as more my enemies than his, for he will always be found an honest man, and I should deserve the name of a very unjust master if I should reward him so ill, that hath served me so faithfully."

Hyde's strict constitutionalism was dreaded by those whose ideal of a Restoration Government was one which would lavishly reward its adherents without concerning itself with observance of the law. It was his fidelity at once to the King and to the Constitution that inspired the opposition to his return. Friends and enemies alike recognized that if he returned with the King, his must be the guiding hand in the administration, as his had been the chief task in setting the policy of the exiled Court.

Hyde accompanied Charles on his return to England. The King embarked at Scheveningen, on May 24th. On the 26th, as we have already seen, he landed at Dover amidst the thunder of cannon, and that day took coach to Canterbury. The great cathedral had suffered sorely from sacrilegious hands, but there gathered within its walls a goodly company of the notables of the kingdom to join their King in a Service of Thanksgiving. Upon General Monk, the Marquis of Hertford, the Earl of Southampton, and Admiral Montague,[1] he conferred the honour of the Garter; and amidst the acclamations of his people, he proceeded next day to Rochester. On the 29th, his birthday, he entered London, "all the ways from Dover thither being so full of people, and acclamations, as if the whole kingdom had been gathered." At Greenwich

[1] Montague was created Earl of Sandwich next month.

he was met by the Lord Mayor and Aldermen "with all such protestations of joy as can hardly be imagined." All the city companies lined the road from London Bridge to Temple Bar, "giving loud thanks to God for his majesty's presence."

At Whitehall "the two Houses of Parliament cast themselves at his feet with all vows of affection to the world's end." Well might the King exclaim, as he saw the fervency of welcome, "It had been his own fault he had been absent so long; for he saw nobody that did not protest he had ever wished for his return." Hyde saw a dramatic accompaniment of this happy consummation of a long and doubtful struggle, in the death, within three months, of the chief Ministers of France and Spain—Cardinal Mazarin and Don Lewis de Haro—whose schemes of policy it seemed to ruin, and who saw in it the failure of their machinations.

In the beginning of June, Hyde took his place as Speaker of the House of Lords, and presided in the Court of Chancery. To the business of that Court a great part of his labours were now to be devoted; but while he studiously avoided the name of First Minister, he exercised, in addition to his judicial functions, far more of the authority of supreme Minister than fell to the lot of any officer of the Crown for some generations after his day. For a few years he seemed to enjoy the unbounded confidence of the King; but that confidence he had earned by no subserviency, and in spite of marked lack of sympathy. For the first time in our history a man of no high birth or commanding station, to whom the personal favour of his sovereign had so far brought nothing but hardship and exile, found himself indisputably marked out, by a long course of services devotedly given, for what was virtually the position of First Minister of the Crown. His judgment and his experience of men taught him how exposed such a position was to every blast of envy. It was partly owing to his consciousness of rectitude, partly to a

certain unbending rigidity of character, that Hyde neglected the caution that might have enabled him to shelter himself against these blasts. With all his experience of Courts, Hyde never learned the arts of a courtier. He was naively unconscious how little the steadfast honesty of his purpose could render his blunt plainness of diction palatable to a master, the chief feature of whose character was callous selfishness, and whose self-love might for the moment allow him to overlook, but never permitted him to forget, the liberty that presumed to curb his caprices or to criticize his conduct.

But for the time the relations between Charles and his Minister were cordial enough ;[1] and amongst his colleagues Hyde could count some who were his warmest and most trusted friends. They formed an inner circle, with common sympathies at once in their memories and in their aims, and unassailed as yet by the coarse profligacy, the vulgar buffoonery, and the ignoble selfishness that were soon to become dominant in Charles's Court. Such were Ormonde, now Lord Steward, whose loyalty was as untarnished as his position was above the assaults of slander and envy, and whose unbroken friendship was a powerful buttress to Hyde, and warded off the slights to which his own more humble birth might have subjected him. Wriothesley, Earl of Southampton, represented the very best type of courtier of

[1] These relations, in their intimacy and apparent freedom from restraint, are perhaps best reflected in what are known as the "Council notes," preserved in the Bodleian, and consisting of scraps of memoranda passing between Charles and his Chancellor. Most of them are, no doubt, mere notes passed across the table during a discussion in the Council, and abound in those hieroglyphics on the margin, which sufferers from tedious colloquies are impelled to make, and which perhaps indicate the frequent boredom of the King. But others are evidently messages transmitted from Whitehall to the Chancellor. In all alike there is a singular lack of formality, or even of orderliness, and they might have passed between business colleagues, who were on terms of close intimacy and easy familiarity. Clarendon's tone is almost uniformly brusque and off-hand, and he must have tried the King's patience terribly by the infamous illegibility of his handwriting. Charles's writing is a schoolboy scrawl, but it is uniformly legible.

an older generation, and his acceptance of the post of Lord High Treasurer gave security that the full tide of corruption, which bid fair to spread its taint over the Court, should find some check so far as the financial administration was concerned. In even closer relation to Hyde's official sphere was Sir Edward Nicholas, the Principal Secretary of State, between whom and Hyde there was the sacred tie of common service and common veneration for the late King. Nicholas was no brilliant statesman, and had no ambitious schemes to serve. But amongst those who played an active, albeit unselfish, part in the varied field of administrative work from the days of Strafford downwards, there was none more industrious, none more loyal, and none less selfish than he. It was all to his credit that he was unlikely to consort on easy terms with the motley crew that now thronged the Court.

Hyde saw, without any displeasure, the Earl of Manchester[1] created Lord Chamberlain, although he was the avowed patron of the Presbyterian party; and Manchester's easy courtesy and recognized probity were no unwelcome ingredients in the Court. But there were others within the

[1] Edward Montague, second Earl of Manchester, who succeeded to the title on the death of his father, in 1642, very early joined the Puritan, and afterwards the Presbyterian party. He was one of the leading Parliamentary generals until the Self-Denying Ordinance deprived him of command. He was a man much beloved, and with marvellous suavity of manner. But to this there was not added any marked ability, or any firmness of will. He had long ceased to be in sympathy with the leaders of the Commonwealth, and rendered powerful assistance in the Restoration. "By his extraordinary civilities and behaviour to all men, he did not only appear the fittest person the King could have chosen for that office (Lord Chamberlain) in that time, but rendered himself so acceptable to all degrees of men, that none, but such who were implacable towards all who had ever disserved the King, were sorry to see him so promoted. He was mortally hated and persecuted by Cromwell, even for his life, and had done many acts of merit towards the King; so he was of all men, who had ever borne arms against the King, both in the gentleness and justice of his nature, in the sweetness and evenness of his conversation, and in his real principles for monarchy, the most worthy to be received into trust and confidence"—*Clarendon, Life*, i. 368. Manchester was hardly the stuff out of which effective revolutionists are made.

official pale, not reckoning the newer courtiers who were destined soon to push their way to power, who were less congenial partners for Hyde and his friends. Monk had earned an unquestionable right to lavish reward, and the King bestowed it with no grudging hand. But Monk's ambition aimed rather at wealth and position than at administrative power; and as Duke of Albemarle, as Lord Lieutenant of Ireland—an office of which the duties were left to others—as Commander-in-Chief, and as Gentleman of the Bedchamber, Monk found himself with titular rank, and with financial gains, which were more in accordance with the tastes of himself and his wife than would have been the burden and responsibility of laborious State business. Between the Duke and the Chancellor there could never be close sympathy, and, for a time, slanderous tongues came near to making active mischief.[1] But as they knew one another better they learned mutual toleration at least, if not respect. Others were still more distasteful to Hyde. Sir Anthony Ashley Cooper,[2] destined to play a leading part at a later day, as leader of dangerous factions both for and against the Crown, and to figure in Dryden's Satire as Achitophel, was scarcely likely, with his spirit of restless intrigue and of daring cynicism, to prove a congenial colleague, even had he not been prominent as a member of the clique which lost no opportunity for undermining the influence of the older statesmen. He was now made Chancellor of the Exchequer, with some hope that "his slippery humour might be held in check by Southampton, whose niece he had lately married."

[1] We find a certain Thomas Dowde writing to Hyde on May 4, 1660, to tell him how Edward Progers had been questioned by Mrs. Monk about Hyde, who had been represented to her as "proud, insolent, contemning all counsel but his own, disposing of all monies for his pleasure, and the delicacies of a riotous table." The authority given is that of "a person of the French interest," whom we may perhaps identify as Jermyn (*Bodleian MSS.*).

[2] Afterwards Earl of Shaftesbury.

In the Comptroller, Lord Berkeley,[1] Hyde found one for whom he had a profound contempt, and of whose vile kinsman, Sir Charles Berkeley, he was soon to have very odious experience. Hyde writes of the elder Berkeley, "If he loved any one it was those whom he had known a very little while, and who had purchased his affection at the price of much application, and very much flattery; and if he had any friends, they were likewise those who had known him very little." [2]

In the earlier part of the reign the business of Government was chiefly transacted by a committee, nominally for the consideration of Foreign Affairs, but really bearing a fairly close analogy to the more modern Cabinet Council. The King and the Duke of York were constantly present at its meetings, and the other members were the Chancellor, Ormonde, Southampton, the Duke of Albemarle, and the Secretaries of State, Nicholas and Morrice. Its deliberations extended far beyond the sphere of foreign affairs, and really comprised every branch of the executive, as well as consideration of the policy which was to be followed in Parliamentary affairs. Hyde was unquestionably the dominant power in that Council, and however much a careful observer might have detected the signs of coming dissension,

[1] John Berkley or Berkeley, belonged to the house of the Berkeleys of Bruton, and was employed as ambassador in Sweden, in 1636, after which embassy he was knighted. He fought in the Royalist army, and at the close of the war, attempted to carry out some unsuccessful negotiations between the army and the King. He accompanied Charles in the escape from Hampton Court, and must share with Ashburnham the folly or treachery which betrayed the King into the hands of Hammond, and made him a prisoner at Carisbrooke. Afterwards he went abroad, and managed to gain the post of Governor to the Duke of York, by whose influence he was created Lord Berkeley of Stratton, in 1658. After the Restoration, he contrived to secure lucrative posts. His mansion was on the site now marked by Berkeley Square. The names of the streets in that neighbourhood sufficiently indicate the localities inhabited by the aristocracy of the Restoration.

He was uncle to Sir Charles Berkeley, afterwards Lord Falmouth, the favourite of the Duke of York, whose foul slanders against the Duchess have earned for him a lasting infamy.

[2] *Clarendon State Papers*, vol. iii. Supp. p. lxxx.

his influence was as yet unimpaired. It rested upon his well-tried loyalty, his unrivalled administrative capacity, and his thorough command of detail; and while it was cemented by the cordial friendship of some of his colleagues, it was smoothed, for the present at least, by an absence of marked friction with any.

We must, however, guard ourselves against a misconception which has imposed itself upon many in forming their estimate of Hyde's new position. It would be utterly wrong to fancy that he entered upon these heavy responsibilities with any sense of triumph or elation, and inspired by any pride of power. This would have been singularly out of harmony with his character and disposition. Though he was ready to assume the burden of administration from a sense of duty, we shall look in vain, throughout all the critical epochs of his life, for any grasping after the prizes of ambition. No letter and no utterance of Hyde's can be adduced in which he put forward a claim for advancement or bargained for any office for himself. The political arena had strong attractions for him, and his principles, or, if we please to call them so, his prejudices, were definite and keen. He was willing to spend his strength in the effort to realize these, and success in that effort brought him rich satisfaction. But he was too proud to make them aids in his own personal advancement. Greatness was thrust upon him; and if disaster chafed him, it was not because of the loss of personal advantages, but because the spirit of the combatant felt defeat to be irksome, and because it involved a suspicion of disgrace. The cause for which he fought was always more to him than his own fortunes; and to plead on his behalf the excuse of natural elation at his triumphal return to power is a singular ineptitude.[1]

[1] Strangely enough, this plea is advanced with little sense of proportion by that most luke-warm of all biographers, Mr. Lister. Hyde's fame owes little to such misplaced apologies.

Apart from Hyde's own history, and from the character which stands out so clearly at once from his actions and his own record, such a conception is unsupported by the actual facts of the case. Severe as had been the hardships of his exile, tangled as had been the mazes through which he had to steer his course, and baffling as had been his difficulties, we may well doubt if Hyde did not, in the years that now follow, look back with regret on the days when he had to fight against heavy odds with an ever-growing confidence in his ultimate success. Against overwhelming forces, his pen had successfully maintained the righteousness of the cause of his late and of his present master, and had, by its undisputed superiority, earned the fear and hatred of his triumphant foes. He had done much to compose restless animosities in the exiled Court, and had introduced something like order into its tangled economy. He had handled with marvellous dexterity the selfish intrigues of foreign Courts, which he could approach only as the powerless agent of a discredited and bankrupt exile. From first to last he had insisted that the Restoration should not be brought about at the expense of conditions to any foreign Power. He had imparted much of his own undying confidence to his English correspondents, and had kept alive the flame of loyalty under untoward circumstances. He had compromised the cause by no dangerous engagement, and had maintained, with unswerving rectitude, his own convictions of constitutional principle. He had been sustained by the sure confidence that, in poverty and exile, quite as much as when in the possession of ample power, he was making history, and was shaping the foundations of a restored monarchy.

But the hour of apparent triumph brought with it none of the solaces of the long struggle. No one appreciated more fully the splendid chances that were offered to the restored King; no one discerned more plainly how blindly

these chances were thrown away. Nor had he long to wait to realize the depth of his disappointment. The blaze of triumph which surrounded the Restoration; the universal joy with which the King was welcomed; the strength of the tide of loyalty that swept over the nation—all these were visible enough. But Hyde was under no delusionment as to the canker that was soon to wither all his hopes. He draws no flattering picture of the work in which his own part was so large. He recognizes that there "must have been some unheard-of defect of understanding in those who were trusted by the King with the administration of his affairs." [1] His disappointment is too great to permit him to waste words in any attempt to dissociate himself from the failure.

Hyde saw clearly enough the danger that lurked in the very suddenness with which the nation allowed itself to be swept away by the tide of loyalty. It did not blind him to the wide diversity of opinion which prevailed, and which made the royal authority so much smaller in fact than "the general noise and acclamation, the bells, and the bonfires, proclaimed it to be." A sedulous cultivation of his own dignity on the part of the King, a respect for public opinion, the most unwearied attention to public business, might indeed have allowed the seeds of loyalty to grow into a strong plant. But the King had need not only of character and industry on his own part, but of a high standard of public spirit and of duty in those who were to be his Ministers. It is hard to say in which of the two the failure was most complete. No one had better opportunity of measuring its extent than Hyde; and it is in this that the tragedy of these few years of gradually increasing disappointment consists. He saw how "all might have been kneaded into a firm and constant obedience and resignation to the King's authority, and to a lasting establishment of monarchic power,

[1] *Life*, i. 315.

in all the just extents which the King could expect, or men of any public or honest affections could wish or submit to."[1]

It is in these last words that we have the keynote of Hyde's deliberate policy. He never lost what had been his guiding principle from his first entry into the world of politics —a balance between Crown and Parliament, and the maintenance of a constitutional monarchy. It is true that Hyde assigned to the Crown a far more preponderating weight in the balance than later constitutional theories admitted. Parliament, according to his theory, was to be kept in a sort of tutelage, and the limits of its power were to be strictly observed. But he felt that the Crown and the Parliament were essential complements, one of the other; and he had no wish to go back to the days when Parliament might be suspended, or the Crown relieved from its dependence on the grants of the nation's representatives. No underlying prerogative was to impose itself as ultimately supreme. King and Parliament were alike to be subject to the law; and the law courts were to be independent of dictation either from one or the other. The last generation had seen each party alike attempting to trample under foot that supremacy of the law; and Hyde hoped that each had learned the lesson of their error. What he did not recognize was, that new guarantees were necessary before the limitations of constitutional monarchy were fully established. He had yet to learn how much the lessons of adversity had been wasted on Charles II., and how mere shiftiness and lack of principle might betray the Crown into errors even more fatal than those of Strafford and of Charles I. These last had striven after an ideal which was inacceptable to the English people, and they failed in the struggle. Charles II. with incomparably better chances, threw these chances away in mere wantonness, and he brought upon the Crown not

[1] *Life*, i. 321.

defeat only, but what was much worse, contempt. It was the very result from which Hyde most recoiled.

Hyde had not had long to wait for experience of one sort of difficulty which he and his master had to meet. Charles had reached Canterbury about three hours after he landed at Dover ; and there he had been met by a host of prospective recipients of royal favours. Some of them were too powerful to brook denial ; and first amongst these stood General Monk.

The crowd of those who saw their own merits in an exaggerating mirror, and whose shamelessness in urging their claims was often in inverse proportion to their merits, roused only the contemptuous cynicism of the King. But Monk was a claimant of another type ; and it startled the King when Monk placed in his hands a list of some seventy names as proper recipients for the dignity of Privy Councillors. Some of these names were of such unquestionable weight that application on their behalf was so unnecessary as to be ridiculous. It did not need Monk's advocacy to recommend Southampton and Ormonde and Hertford for any honour which the Crown could bestow. But with their names were found those of men whose advancement would have provoked a storm of opposition, and whose reputation for loyalty rested upon the flimsiest basis. Charles thrust the paper in his pocket, and dismissed Monk with the most flattering commendation of his own merits. In his perplexity he turned to Hyde, and desired him to expostulate with the General, and his dependant, Mr. Morrice. Hyde had never before met either Monk or Morrice, and his first interview promised to be a disagreeable one—preceded, as it was, by suspicions which had been sedulously impressed upon Monk by Hyde's ill-wishers. He addressed himself first to Morrice, whose character he soon learned to respect, as that of an honest and capable man, although something too much of the scholar and recluse, and with some lack of

experience in action. To his surprise, he found the difficulty less than he expected. The General, said Morrice, had no thoughts of his recommendations being accepted wholesale. He had been compelled to promise his favour, and had included many names only to redeem that promise. But the King was not to understand that all these names were meant for his acceptance. The difficulty was solved for the time. But it had taught Hyde how slippery was the ground on which he stood, and how fatal it would be to interpret, as sincere, suggestions which were only formally made, and which might breed anger rather than gratitude if accepted to the letter.

Incidents like this—one only amongst many—soon disillusioned Hyde. The great hopes which he had formed from estimating the splendid chances opened by the Restoration, were grievously dispelled. He learned how selfish and how flimsy was much of the noisy loyalty. He soon learned, also, to take a just estimate of the character of the King. During the time of exile he had formed a high opinion of Charles's abilities, and had frequent cause to appreciate his tact and abundant fund of humour and of common-sense. What he had not fully observed was the extent to which the canker of cynicism had undermined the King's character, and how low was his judgment of his fellow-men. He now discovered this, and found how little he could depend upon him for that careful attention to business, and that sense of responsibility, which, amidst all his errors, had never been lacking in Charles I. It was a splendid opportunity. The Church had recovered its power, and, it might be hoped, had learned wisdom from adversity. The reign of that fanaticism which Hyde detested had passed away. The Crown was restored, and its dignity and solid influence might be increased and not diminished, by the recognition of the constitutional limits on the power of the monarch. Parliament was again

strong, and it had learned enough to know that a straining of its powers to a tyranny was distasteful to the people, and in reality, a danger to those very powers. Law, which Hyde regarded as the keystone of the arch, was, he might fondly fancy, fixed on a surer foundation. The sound principles which, as he had once hoped, had been attained in the early days of the Long Parliament, were again in sight. Parliamentary government had been vindicated, and yet the dignity and influence of the Crown were safe. As trusted Minister of the Crown, it might be his task to buttress securely the elaborate and delicate mechanism of a free and constitutional monarchy, resting upon the aid of Parliament, but secured in all amplitude of loyalty and reverence. A few years—nay, rather a few months—served to show him how far the reality was to fall short of his ideal.

How did matters really stand between Charles and his people? Weariness, full as much as loyalty, was the operative cause of the mood that brought about the Restoration. Only a few weeks before, the gaunt and serried ridges of national conflict stood out as threatening as ever. The grim rocks of Episcopalianism and Presbytery, of Independence and Anabaptism, of divine right and republicanism, stood opposed to one another. Suddenly, almost like a dream, the wave of a new and over-mastering impulse had risen and submerged them all. For the moment it was strong and deep enough to overpower all other currents. On its smooth surface, Charles had floated back to the throne. But the favouring wave had only covered for a time—it had not swept away—the rocks underneath. These were soon to be once more exposed.

Charles had accepted the tribute of adulation with the smooth smile, the superficial good-nature, the half-contemptuous courtesy, and the inherent insincerity, of the cynic. His ruling passion was the innate selfishness of the libertine.

For constitutional principles, or even for any settled ideas of government, he knew and cared nothing. If he had any ideal of kingly power, it was framed according to the model of the French Court, and was shaped to suit the gratification of his own tastes, and the satisfaction of his appetites. The constitution was best neither as it extended the limits of his own power, nor as it met the aspirations of his people, but as it ensured the security of a sensual Court, and did not interfere with his own love of ease. To this all thought of kingly prerogative or of parliamentary influence, all care for the privileges of the Church or of toleration, were alike subservient. The Minister who desired to govern according to settled principles, and who based his confidence on Charles, was building on the veriest quicksand. And yet of all Ministers, Hyde was the one in whom temperament, tradition, taste and sad experience, had most implanted the belief in rigid adherence to principle. The ill-effect of such a conjunction could not be long postponed.

CHAPTER XVI

DIFFICULTIES TO BE MET

With that genial self-complacency, which sits so well on him, Hyde records that he took his seat in the House of Lords as Lord Chancellor (but not a peer) "with a general acceptation and respect." He found on the benches round him those who had been his associates in the days before his exile, or their sons. The old peers, or their successors, excluded from Parliament so long, now took their places without any formal resolution, and as a matter of routine; so easily had things slid back into their old position. In the other House, there was a preponderance of "sober and prudent men," after Hyde's own heart. Those who had but lately been declared to be "malignants and delinquents" now gloried in the name; and the ordinances which had, at the very summoning of the Convention, excluded them, were now treated with contemptuous neglect.

There was, indeed, a considerable leaven of the Presbyterian element, and against its adherents Hyde bore a prejudice which even his prudence could not suppress. Their disaffection to the Church was cloaked by an emphatic assertion of their zeal for the Crown. They claimed, with some justice, no mean share in the Restoration. The Covenant, they argued, assured their loyalty, and its admission to the Churches, from which Cromwell had banished it, had, they averred, contributed powerfully to the success of the Royalist cause. Hyde refused to acquiesce in the

theory that a common hatred of the Independents ensured the continued alliance or the sure loyalty of the Presbyterians, or that the Covenant, under the cover of which they had levied war against the King in his own name, was a proper object of grateful recognition. But, for the moment at least, their self-interest was a sufficient safeguard against their proving troublesome to the royal cause.

In his first speech, Hyde, in the name of the King, urged upon both Houses the necessity of passing the Bill of Indemnity and Oblivion, as necessary in order to calm alarms, which might at any moment have disturbed the public peace. That Bill of Indemnity and Oblivion had to be shaped in accordance with the Declaration issued by the King from Breda. Personally, Hyde had endeavoured to restrain the impulse which tempted the King to clinch a promising bargain by over-lavish concessions. He always held that the dignity of the King could not be satisfied without vengeance on the murderers of his father, and that the security of the Crown rendered a severe example necessary. But if his caution led him to look askance on extravagant promises, his sense of honour taught him that whatever promises were given, must be fulfilled. The question was, To what did Charles's Declaration at Breda pledge him?

Not once, but many times, from 1649 onwards, when his affairs were in the most hopeless plight, Charles had clearly announced that he could make no terms with those "who voted or acted in that bloody murder." Amongst the vast majority in all parties who accepted the Restoration, there were few who ever contemplated oblivion for that act. The Declaration had promised a free pardon to all who, within forty days, "shall lay hold upon this our grace and favour, and by any public act declare their doing so." It excepted "only such persons as shall hereafter be excepted

by Parliament." Technically, this did not close the door even upon the agents in the death of Charles I. Practically, it must be interpreted in the light of previous Declarations. Strictly interpreted, it did not reserve to the Crown the right to reject any proposed exemption, even for a regicide; and this, perhaps, involved that Court influence should not be used against such an exemption.[1] As a fact, there is no evidence that the mercy which Parliament was disposed to show was in any way restricted by such influence. Hyde, at least, made no effort to curtail the exemptions made by Parliament. His only anxiety was that the Act should pass speedily, so that the sense of insecurity should disappear, and the path of reconciliation should be open. In his own words, "It was then, and more afterwards, imputed to the Chancellor, that there were no more exceptions in the Act of Indemnity, and that he laboured for expedition of passing it, and for excluding any extraordinary exceptions; which reproach he neither then, nor ever after, was solicitous to throw off." Not the least of Hyde's trials was the difficulty of curbing the zeal—often prompted by selfish motives—of the more hot-headed Royalists.

As to the actual number of exceptions, the opinion of Parliament varied and gradually increased in severity. Before the King's return it was resolved that seven of the King's judges should be excluded from pardon. After his return, on June 6th, a Proclamation was issued (after the presentation of a joint address from both Houses), summoning all regicides to surrender within fourteen days on pain of exclusion from pardon. This was held to mean only that obedience to the proclamation would exempt them from

[1] In the letter from the King enclosing the Declaration, words were used which served as a sort of gloss upon it: "If there be a crying sin for which the nation may be involved in the infamy which attends it, we cannot doubt but that you will be as solicitous to redeem and vindicate the nation from that guilt and infamy as we can be." These words were clear enough.

punishment without trial, and from exclusion from hope of pardon; and, indeed, the Declaration had given up the King's power to do more without the assent of Parliament. But as time went on, the mood of Parliament became more severe. Three more—not the King's judges—were excepted; and subsequently twenty more were made liable to punishment short of death. The Peers proceeded still further in the direction of severity; and when the Act received the Royal Assent in August, it excepted forty-nine persons who were instrumental in the death of Charles, with a proviso that nineteen, who had surrendered, should not suffer death, without the sanction of an Act of Parliament; and certain others were made amenable to punishment short of death. Finally, in October, the excepted persons were brought to trial. All were found guilty, but of these, ten only actually suffered death. Hyde's influence is plainly to be seen in this degree of leniency, which certainly went beyond the prevailing mood of Parliament.

The two chief offenders whose fate had to be settled were Sir Henry Vane and General Lambert. The Convention Parliament had petitioned that their lives should be spared, and Clarendon, at least, was not unwilling that this should be done. But the new Parliament,[1] when it met, was in a more angry mood, and repeatedly applied to the King that they should be brought to trial. These petitions were referred by the King to the Chancellor, whose answer indicates that he was inclined to find pretexts for delay.

To follow their fate, we may anticipate a little the sequence of events. The trial ultimately took place in June, 1662. Vane took what may have been the courageous, but was certainly not the prudent, course of defending his own action,

[1] The Convention Parliament met again in November, 1660, after its short recess. It was dissolved on the 29th of December, 1660, and the new, and duly elected, Parliament met on the 8th of May, 1661.

SIR HENRY VANE, THE YOUNGER.

(From the original by William Dobson, in the National Portrait Gallery.)

and defying the Court. He was protected, so he argued, by the Statute of Henry VII., which gave exemption from a charge of treason to those who had served a King *de facto*, even against a King *de jure*. It was clear that no such plea was valid in the case of one who, by compassing the death of a King, had aided in establishing a Commonwealth. Vane was convicted, and met his fate with marvellous courage on June 14th, 1662.

Vane was a strange compound of incongruous qualities—at once enthusiast and philosopher, statesman and intriguer, a model of chivalrous courage, and a profound dissembler. We cannot compass his character by adopting the wayward estimate given of him by Anthony a Wood, who tells us that his common nickname was Sir Humorous Vanity, and who dismisses him as "a hotch-potch of religion," "an inventor of whimseys in religion, and crotchets in the State." Just as little can we trust to Milton's lavish praise:

> "Vane, young in years, but in sage counsel old
> Than whom a better senator ne'er held
> The helm of Rome."

Perhaps the soundest judgment, albeit an unsympathetic one, is that of Hyde:[1] "He was, indeed, a man of extraordinary parts; a pleasant wit, a great understanding, which pierced into and discerned the purpose of other men with wonderful sagacity, while he had himself *vultum clausum*. . . . If he were not superior to Mr. Hampden, he was inferior to no other man in all mysterious artifices."

Lambert showed no such bold front to his judges. In his case imprisonment was substituted for death, and he was kept in honourable and easy confinement in Guernsey. In a subsequent letter, he expressed his gratitude to Clarendon for his good offices in procuring this degree of mercy.[2]

[1] *Rebellion*, vii. 267.
[2] Bodleian MSS. Printed by Lister, vol. iii. p. 310.

But the question of settling the measure of indemnity to be granted was only the first of many difficulties that craved wary walking on the part of Hyde. Other weighty problems faced him. The most urgent of these was the settlement of the Revenue, in regard to which Hyde had again to mediate between two extremes. There were, doubtless, some who wished that the complete supremacy of Parliament should be secured by making the Crown depend entirely upon casual and arbitrary Parliamentary grants. In Hyde's view this was inconsistent with the dignity of the Crown, was certain to lead to friction, and would inevitably make Parliament the sole sovereign power in the State. But just as little did he wish to fix a Revenue which would have made the Crown entirely independent of Parliament, and would have dispelled the scheme of a limited monarchy. However little it might be to the taste of Charles and the crowd of grasping courtiers, Hyde determined that, for all extraordinary expenses, the King should be obliged to have recourse to the generosity of Parliament, and that the ordinary expenditure should be kept within reasonable limits. If we are to believe the account given to Pepys by Sir William Coventry,[1] the Lord Treasurer, Lord Southampton, would gladly have postponed the Indemnity Bill until an ample revenue had been settled upon the King, so as to secure his independence. According to Burnet,[2] Hyde could readily have obtained the consent of Parliament to a revenue of £2,000,000, and deliberately refrained from doing so.

A much more moderate, and, as it turned out, an inadequately secured, revenue was fixed. Inquiries were instituted, which showed that the revenue in the years immediately preceding the Civil War had been rather less than

[1] See Pepys, *Diary*, March 20, 1669.
[2] *Hist. of His own Time*, i. 286.

£900,000, and that the expenditure had been £1,100,000. The necessary expenses had, since then, materially increased, and could not now be placed at less than £1,200,000. Towards this, the existing sources of revenue, with the deduction of the Feudal dues and wardships, which it was proposed to abolish, would not contribute more than one-half, or £600,000. The remaining half was to be supplied from Excise—a new device, as we have seen, contrived by Parliament during the Civil War, and destined, as Hyde foresaw, to become a permanency. But, as a fact, the assigned resources did not reach this amount of £1,200,000. Further, it had to be taken into account that, when existing debts were added to the necessary cost of disbanding the army, a burden of debt, amounting to about two millions and a half, would have to be met. It must be kept in mind also that there was no clear distinction between the Civil List, or the personal expenses of the King's household, and the General Revenue. All these circumstances, combined with the lavish extravagance of the Court, soon led to financial deficits, and to hopeless confusion of accounts. Such a condition of matters was certain to swell all other causes of discontent. To meet them, an economy of administration, which Hyde vainly hoped for and strove to bring about, was the only possible expedient, assuming that the King were not to be made financially independent. Possibly it would not have been beyond Hyde's power to adopt the latter course; and that he had failed to provide the easy resource of a lavish revenue was one of the causes that contributed to his subsequent unpopularity at Court. He soon found that under such a master, and in such a Court, economy of administration was a hopeless ideal. He irritated the crowd of selfish and grasping sycophants, and yet he failed to lay a secure foundation of sound financial administration. The difficulties of the situation rendered that an impossible task.

The financial settlement, such as it was, was not reached till December, after a short adjournment in September and October. Meanwhile, another, and equally threatening, problem had to be faced, and it was faced with promptitude and success. The Restoration found a force of 60,000 trained and seasoned men under arms. Had the Chief Minister of Charles felt it consistent with his duty to conciliate that force and keep it embodied, the hopes of constitutional monarchy would have been vain. The cost would have been heavy, but it would have been itself the best security against resistance. It would, doubtless, have rallied to its paymaster, and would have been an effectual check upon the growing power of Parliament. But such a course would have been absolutely contradictory to Hyde's deepest convictions of constitutional rectitude, and it would have been in deadly opposition to all the traditions of the nation—traditions which were tenaciously held even after the institution of a standing army had become a necessity of the European position of this country, and after the necessary absorption of that army in the stirring tasks imposed upon it abroad had made its use as an instrument of tyrannical power impossible. Hyde saw that his ideal of Government demanded that the army should be disbanded, and that promptly. He did not conceal from himself the danger that the disbanding involved. It was soon apparent that the political leanings which had been submerged in the rest of the nation survived in threatening force amongst the ranks of the army. There were many in the ranks who disliked monarchy in any shape, and Monk, who had been their all-powerful leader so long as his designs were uncertain, was now the object of their sullen hatred, and his life was threatened by designs of assassination cherished amongst his old soldiery. The army, it was evident, must be master of the nation, or it must cease to exist.

Hyde dealt skilfully with the problem in his speech to Parliament on the eve of the adjournment on September 13th. The King, he said, did not resent the common belief that he would not disband the army.

"It was a sober and a rational jealousy." "No other prince in Europe would be willing to disband such an army —an army to which victory is entailed, and which, humanly speaking, could hardly fail of victory, wheresoever he should lead it. And if God had not restored his Majesty to that felicity as to be without apprehension of danger at home or from abroad, and without any ambition of taking from his neighbours what they are possessed of, himself would never disband this army—an army whose order and discipline, whose sobriety and manners, whose courage and success, have made it famous and terrible all over the world."

The words were admirably framed to conciliate the army, to indicate the danger, and to show clearly the moderate policy of the Crown. No financial straits were allowed to prevent the prompt disbandment, which was carried out with singular success. Before November more than half of that army was peaceably paid off; and a few months more saw the end of almost the whole force. The disturbances which soon after arose led to the retention of Monk's Coldstream Guards, a regiment of Horse Guards, and another regiment from Dunkirk. These formed the King's guards, deemed essential for the security of the King's person; and they were the nucleus of the future standing army. During Hyde's later administration they never exceeded 5000 men.

The magic of discipline and cohesion gone, Cromwell's Ironsides ceased to be an effective instrument of war. But, spread throughout the villages of England, they powerfully leavened the national character, and prevented the effacement of a type which the strain of Civil War and the white-heat of religious enthusiasm had served to create.

The threatenings of a sullen temper on the part of the army, who found their occupation gone, were happily averted. But Hyde recognized that a deeper danger lay behind, in the still more sullen and dangerous temper of many amongst the Royalist party. They represented every type. There were the old Cavaliers, who had fought in the earlier years of the war, had seen their dearest and best fall in the King's service, and had permanently crippled, or entirely lost, their estates for the Royalist cause. Twenty years of poverty and hardship, if it had not slackened their loyalty, had taught them caution. They knew by experience the hopelessness of plots, and had recognized that the Royalist cause must look, not to forlorn hopes, but to a slowly ripening change of national feeling. In the dark days they had distrusted the feverish energy of younger men, whose record of loyalty was short, and who had sought to retrieve the lateness of their adherence to the Royalist cause by its restless zeal. Amongst these last, there were, indeed, many whose services could not be disparaged, such as young Lord Mordaunt, who had repeatedly risked his life in passing between England and the quarters of the exiled Court. But it was no selfish motive that prompted caution to men like Ormonde, Hertford, and Southampton. Ormonde himself, as we have seen, had ventured to visit London secretly under Cromwell's rule, in order to keep alive the zeal of the Royalist party. Hertford and Southampton had refused all overtures from the Protector, and their loyalty was beyond cavil. But much as they had suffered and were ready to suffer again, they dreaded, with good reason, the recklessness of the more militant section, and knew the risks that it involved. Repeatedly they had urged the King "to sit still, and expect a reasonable revolution, without making any unadvised attempt;" and their policy had been consistently maintained by Hyde. Hyde's own position and his influence

with the King was, as we have seen, suspected by the more daring spirits. The Royalist party, amidst all its depression, had been injured by inherent defects and crippled by its own inappeasable dissensions. Many of the older Royalists were dead, and those who had taken their place had no experience in public affairs, were unknown to one another, and were suspicious of those whose views in any way differed from their own. The most trustworthy were cautious, and, before they declared their adherence to any scheme, had made it a condition that their designs should be imparted only to Ormonde and Hyde. But negotiations could not be confined to them, without discouraging those whose zeal was undoubted. The network of suspicion increased and left permanent marks.

All these various and mutually suspicious groups in the Royalist party had, now that the cause had triumphed, to be satisfied in some way or other, and their deserts had to receive such recognition as would leave only a minimum of rankling discontent. The first question that had to be settled was the restitution of property. How far was it possible, consistently with the claims of justice and the paramount supremacy of law?

Claims of restitution arose from three sources—the Crown, the Church, and the impoverished adherents of the cause. The Crown lands had been seized by Parliament in 1643. No claim of prescription could be allowed to operate there; and the Crown was reinstated in possession of these lands, whether they had been granted or sold to their present possessors. The same summary method was applied to estates of which the original owners had been dispossessed, and which had passed as rewards for services to Parliament, or had been sold by that authority. But a much more troublesome question arose with regard to lands which had been sold by Royalist owners, in order

to meet their own necessities, to satisfy the exactions levied by Parliament on "malignants," or to permit the loyal owner to contribute to the necessities of the Crown. Such cases involved fully as much hardship, and it made little difference to the impoverished landlord whether his estate had been impounded by the triumphant rebels, or had been sold by himself in order to meet the fines imposed by the usurping power. But it was felt that, except by a dangerous unsettlement of all legal process, and by destroying all public confidence, no universal cancelling of voluntary and legal transactions could take place. The Declaration of Breda had left all such matters to the decision of Parliament; and Hyde refused to depart from it, or to face the certain destruction of all public confidence which more drastic action in the way of restitution would have produced. But the murmurings of those whose sufferings were in no wise lessened by the technicalities of the law, were deep and enduring. The King was deemed to be ungrateful for the sacrifices, and careless of the sufferings of his adherents; and the heaviest part of the blame fell upon Hyde. Burnet tells us, repeating the talk of the day, that the Act of Indemnity was currently spoken of "as an Act of Indemnity for the King's enemies and of Oblivion for his friends"; and he avers that "the whole work, from beginning to end, was Hyde's."[1] There is no reason to accept anything on Burnet's sole authority; but at least there is nothing in this inconsistent with Hyde's general attitude, nor is it, indeed, easy to see how any other course could have been followed without leading to widespread confusion and an undermining of public credit.

An even more crucial question, and one bristling with difficulties, arose with regard to Church property. Upon none had the sufferings of the time fallen with more severity than on the Church and her clergy. She had shared the

[1] Burnet's *History of His own Time*, i. 298.

tribulations of the Royal Martyr, and the best tribute that could be paid to his memory was surely to secure that she should now feel the sunshine of a new dawn. If the history of these twenty years had proved anything, it had proved how faithfully the Church reflected the spirit of the English people, and how deeply their traditional love for that Church was implanted in their hearts. She, too, had produced her own martyr in Laud, and the aims with which he had inspired her were recovering their hold over the nation. The pages of Pepys's *Diary* tell us how even his sprightly self-complacency could be moved to enthusiasm by the revival of her dignified ceremonial; and the harmony of her ritual had charms for those who had none of Pepys's musical taste and skill, but might well have a deeper love for its essential beauty, and a better appreciation of all that it meant for the heart of the nation. The survivors amongst her scattered bishops, and the long train of her ejected clergy, represented not only a tale of individual suffering, but an insult offered to the cherished traditions of a people singularly prone to be touched by an appeal to history. The yoke of the Presbyterians and Independents had been a hard one, and the Church Restored was the outward sign of release from bondage to those whom that yoke had galled. Her dignitaries had suffered the direst straits of poverty, and her clergy had sought a meagre livelihood in menial employment, or had lived in dependence upon the secret benevolence of impoverished loyalists, in whose households they were often well-loved inmates. They had full need of money, not only for their own subsistence, but to repair their desecrated shrines and to obliterate the marks which civil strife and an iconoclastic spirit had left upon those great cathedrals and those well-loved parish churches that symbolized the faith of the nation. They would have been more or less than human had they not been stirred by zeal to repair the

ravages which sacrilegious hands had wrought upon the national Sion, and eager, with that end, to seize upon the booty which the plunderer was to be made to disgorge. To share that zeal was one of the constituent elements in Hyde's character, and he was not likely to abandon it in the face of a careless group of profligate courtiers, to whom the Church Restored was at best but a sign of the triumph of their party, and who were ready to toast the Church in their cups, but in their sober hours to allow it to starve as a new form of martyrdom.

Hyde's task in this matter was one of no small difficulty. The Presbyterians were able to point to their services to the Crown and their adherence to the principles of monarchy. In many cases they had proved acceptable to their parishioners, and where the Episcopal incumbent no longer survived, the removal of the existing pastor might seem to involve needless hardship, and would certainly irritate a large section of the nation. Even where the incumbent did survive, it would have been hopeless to demand the repayment of tithes over a long series of past years. The surviving clergy must be restored, but restored without payment of arrears. The bishops entered on their sees, and policy demanded that in dealing with the revenues they should interfere as little as might be with the rights of existing tenants of Church property.

But the constitution of the Church of England permitted the observance of no arbitrary rule, however expedient, in dealing with the revenues of individual bishops or incumbents. They possessed rights which the law must uphold, and they had abundant need of the resources placed at their command. Dilapidations had to be made good; debts necessarily incurred left little room for generosity. On the whole, their rights were not unduly strained, and Hyde declares that special instances, where bishops or incumbents pressed with

rigour on their tenants, were comparatively rare, however much they were magnified by the rancour of their enemies. It was suggested that some of the revenues of the larger sees should be diverted for the benefit of the smaller incumbencies. To do this would have been to alter the constitution of the Church, and the moment of restitution after long suffering was not the time for such a change. Nor was there any machinery of the law by which it could have been carried out. Some of the surviving bishops were old and inactive. Others were appointed from the ranks of Royalist adherents on grounds of ardent partisanship rather than of fitness for the position; and it would have been too much to expect that in reaching a haven of prosperity after the storm of persecution they should not have been, at times, unduly attentive to worldly advantage. Hyde had long been conscious that wary and wise policy could not always be looked for from the clerical profession. But he had no wish, even had he possessed the power, to deprive them of the advantages which were theirs by law.

Behind the question of material interests there was another of far more consequence. What was to be the texture of the restored Church, and how far could a compromise be reached between the Church and the Nonconformists?

There can be no doubt that the position was affected by the terms of the Declaration of Breda, which constituted a sort of treaty between the Crown and the Parliament. That Declaration gave a full promise of toleration. But it is idle to maintain that toleration for tender consciences involved a reconstitution of the Church to suit those consciences.[1] There was a large body of Presbyterian clergy

[1] It is the failure to distinguish between these two things that vitiates the arguments of those who, in our own day, have reflected most severely on the action of Hyde. He had not the power, even if he had had the desire, to alter the framework of the Church. With regard to toleration, he had to take account of the fears of the nation, that such toleration was

whose incumbencies were not interfered with by any claims of ejected and surviving Episcopalians. If a compromise could be reached which would bring these incumbents within the pale of the Church, it might be well. But they could not found a claim to such a compromise on the terms of the Declaration. That secured to them only toleration for their scruples, not a revolution in the Church to suit their views. Charles II., while distinctly asserting his intention of maintaining the ritual of the Church in his own chapel, was ready, with his usual complaisance, to indicate a willingness to accept a compromise and to modify some of the usages of the Church, which, under Laud's rule, had become a part of her constitution. But in doing so he really went beyond, not only the terms of the Declaration, but the power of his own prerogative. The alteration desired could only be carried out by the action of Parliament; and it remained to be seen whether the temper of Parliament would permit it. As a fact, the ready compliance and easy temper of the King raised hopes in the breasts of the Presbyterians which were doomed to disappointment. At their first interview some of their appointed representatives shed tears of joy for the happy settlement which it seemed to portend. For a time a compromise seemed possible; but it could only have been achieved by offending the strongest party within the Church. Sincerely as he was attached to the ceremonies of the Church, Hyde was statesman first, and churchman only second. According to his view, the Church, as an institution of the State, was subject to the Civil power. He would have resented the intrusion of the State into fundamental points

a device of Charles in favour of the Roman Catholics, and of the conviction that, as an act of the Crown alone, it was illegal. After his day, it was aided by the compliance of the most corrupt and unscrupulous Ministry which England has ever known. This confusion is the flaw which runs throughout a careful and painstaking monograph on the subject, published in 1908, by Mr. Frank Bate, under the powerful *ægis* of Professor Firth.

of doctrine ; but if, upon non-essential matters of ceremonial, a working compromise could be attained, he was anxious that such a compromise should receive confirmation at the hands of the State. It soon appeared that such a consummation was scarcely to be hoped for. Angry debates arose in Parliament when the question of religion was touched. The proposals made by the Presbyterians might well provoke the anger of those who saw in them the subordination of ecclesiastical tradition to the tenets of a party which had been overbearing in their hour of triumph, and were ready now, by a cunning appeal for peace, to make their austere and unattractive ritual trample over the cherished customs of the Church. The fact that ritual, rather than doctrine, was concerned, made the fight only the more real, and the passions on either side the more eager. For one man who cared for doctrine there were a hundred to whom the familiar ritual of their Church embodied and represented its very essence. Apostolical succession and the Real Presence were matters for theologians. A stately liturgy, the dignity of worship—nay, even the wearing of the surplice—these stirred the hearts of the average Englishman ten times more deeply. Surrender on these matters would have meant that at every Sunday's service they would have been reminded that the usages that were enshrined in their memories had passed away, and that the Church they had fought for was transformed at the will of her triumphant enemies. The Convention Parliament was adjourned on September 13th, before any settlement was reached, and leaving any placating of the Presbyterians as unpopular as ever.

Charles still desired compromise from very weariness of the fight. Hyde was ready to help that compromise so far as it could be gained without substantial injury to the Church. Meetings took place at Worcester House,[1] where Hyde

[1] The house built by the Marquis of Worcester. It was confiscated during the Commonwealth, and had for a time been occupied by Cromwell.

resided as Chancellor, at which the King himself was present, with certain of the bishops and the leading Presbyterian divines. Difficulties soon arose. It was no part of Charles's scheme that the Presbyterians should have the triumph all to themselves. In terms of the Declaration of Breda toleration was to be granted to all, and Hyde distinctly announced that it was the intention of the King to carry out that obligation to all. That was no part of the Presbyterian view, and portended a laxity which their consciences would not permit them to accept, and which might even embrace the hated Roman Catholics. If it was Hyde's intention by this announcement to countercheck their demand for a compromise which, in the pliancy of the King's temper, might have conceded all their main tenets, and to expose the hollowness of their demand for release from an over-strict conformity, his design succeeded admirably. The Presbyterians were forced into an illogical position. At the moment when they prayed for lenient treatment which was to help them to share in Church endowments, they were shown to be ready to enforce a yoke of intolerance upon those Dissenters who stood outside their own pale, and who sought only for liberty to carry on an unendowed worship after their own fashion.

But the hopes of compromise were even yet not at an end. Charles was still eager for it as an escape from harassing disputes. A Declaration was published which went strangely far in its concessions to the Presbyterians, if Hyde is to be considered as concurring in its proposals. Episcopacy was recognized as worthy of support because it was established by law, was expedient for the circumstances of the nation, and had a long tradition—but not as being a matter of divine institution. Its framework was to be modified so as to reduce materially the aristocratic government of the Church, and regulations were to be introduced which savoured

strongly of Presbyterian republicanism of rule. The Liturgy was to be revised, and the outstanding accompaniments of ritual—genuflection, the sign of the Cross, the wearing of the surplice—were not to be enforced. Subscription to the Thirty-Nine Articles was not to be required.

If Hyde really assented to these proposals, it proves how urgent he considered the necessity of some settlement to be. The devout adherents of the Church might well suspect a betrayal of their cause. The Presbyterians were elated, not without due reason. All that they asked for seemed to be conceded; and perhaps, in the circumstances, they might have deigned to overlook the laxity which permitted toleration to those whose doctrines they held to be intolerable. Their triumph seemed so assured that they might look forward with confidence to the time when the Independent and the Anabaptist would be crushed out of existence. No wonder that one of their number, Reynolds, was persuaded to accept the Bishopric of Norwich, and that others found no reason to resent a similar offer to themselves, although their Presbyterianism did not, at the moment, fully warrant its acceptance.

But there remained a danger to be faced by this specious scheme of compromise. Parliament met after the adjournment, on November 6th. No Declaration could prevail until it had received Parliamentary confirmation; and Charles was to find that a Royalist Parliament might refuse to endorse even a royal compromise which sacrificed principle for the sake of an apparent peace. The Church was able to prove herself stronger than the King, and, at her bidding, Parliament declined to surrender the distinctive character of her Government and her ritual. It required no great prescience to foresee that concessions to Nonconformity were apt to have, as their chief result, the speedy formulating of new demands for modification at once of

government and of ritual. Whatever was the motive, Parliament declined to accept the Bill which embodied the terms of the King's Declaration. Its second reading was rejected by 183 votes to 157. This happened at the close of November, and a month later the Convention Parliament was dissolved. It had still to be seen what further negotiations might lead to, and whether a new Parliament would be less zealous in maintaining the prerogatives of the Church, or whether new events might not sharpen the vengeance of the now dominant faction. As for Hyde himself, he knew well how much easier his task would be made if any compromise or conciliation could be effected. But such ease would have been bought too dear if it involved undue concessions to that Presbyterianism which his soul detested, a weakening of the Church which, in its broad features, he held to be indissolubly bound up with the constitution, or a betrayal of the cause for which Charles I. and Laud had given their lives. Besides his own convictions, loyalty to these memories, that were sacred for him, kept Hyde true to the Church.

Before following further the events which were to shape his policy as Minister, it is well to turn to others which had a more immediate personal concern for him. The first of these struck home to his feelings as a father, and was to have far-reaching consequences in a wider field. Separated though he was, during most of the long years of exile, from his family, Hyde had none the less kept the warmest domestic affections. These affections were now to be hardly tried; and the manner in which he bore the trial was strangely characteristic both of the man and of the age.

We have already seen how Anne Hyde, his eldest daughter, had, during the years of exile, attracted the favour of the Princess of Orange, the eldest sister of Charles II. When a vacancy occurred amongst her Maids of Honour, the Princess

had offered the post to Anne Hyde. The offer, however flattering, did not attract her father, who dreaded, for his daughter, the slippery paths of Court life and appreciated the envy which such an appointment might excite. He knew that the Queen-Mother, with her usual desire for domination, would wish to choose her daughter's confidants, and he strove, as far as respect for the Princess would permit, to avoid the pitfalls that it might involve for his daughter. He pleaded the consideration that the appointment might not be acceptable to Queen Henrietta; but the Princess had insisted upon her exclusive right to select her own household. Driven from this refuge he had alleged the difficulty of separating mother and daughter, and agreed to refer the decision to his wife in full confidence that she would share his own fears. But if she had doubts they were overcome, and to Hyde's surprise, she cordially accepted the gracious offer of the Princess.[1]

Anne Hyde possessed no special charm of person, and had no claim to rank amongst the beauties of the Court. But she was gifted with much sprightliness and humour, and although the scandals that assailed her virtue were triumphantly refuted she was frank enough not to hide such attraction of manner as she possessed, nor harshly to reject advances. She soon made a deep impression on the morose spirit of the Duke of York, and in the autumn of 1659, there was a secret but solemn contract of marriage between them, and they regarded themselves as man and wife. It was not till September 3rd, 1660, that they were secretly married at Worcester House, the residence of Hyde, although her father knew as little as any one of the contract; and

[1] Amongst the Bodleian papers there is a submissive letter from Anne Hyde to her father, dated October 19th, 1654, in which she states her readinesss to accept any decision which he may make, and to accept the new life, much as she dreads the parting from her mother (*Calendar of Clarendon Papers*, vol. ii. p. 401.

on September 22nd their eldest son was born. Already the Duke had confided the secret to his brother, the King, and Charles received it with that complacent humour that redeemed many of his faults.

Before this, Hyde had welcomed his daughter to her English home with special joy. "He had always had a great affection for her; and she, being his eldest child, he had more acquaintance with her than with any of his children." [1]

He had a project of marriage for her, which he deemed advantageous, and according to the notions of the days of his own youth, such arrangements were best made by parents. Other views had become current since these days, and the Chancellor's matrimonial schemes were rudely shattered.

It was not surprising that rumours as to the marriage were rife, although they did not reach the Chancellor's ears. His absorption in his work perhaps prevented him from gaining that confidence in his own family which an idler man would have commanded. Such stories were soon spread abroad by the gossip of the Court, and shrewd observers guessed the truth. Ashley Cooper, on one occasion soon after the Restoration, quitting the dinner-table of the Chancellor, in the company of Lord Southampton, declared to him that he was convinced that Anne Hyde was married to one of the brothers. The half-suppressed respect with which her mother treated her, and carved to her of every dish, had revealed the state of affairs to him. Pepys and Burnet repeat to us the tittle-tattle of the circles in which they moved, and the various estimates which were made as to the effect of the impending disclosure upon the Chancellor's power. The ambition which made her mother accept for Anne the post of Maid of Honour to the Princess of Orange, now made her an abettor in the scheme, which she evidently concealed from her husband.

[1] *Life*, i. 377.

Charles had imbibed too much of the vagrant humours of his own Court in exile to feel any tragic indignation over his brother's confidences. We can fancy what view would have been taken of such a daring breach of royal etiquette, either at the Court of James I., or of Charles I., where lesser matrimonial crimes had received the punishment of life-long imprisonment. But alien as such bygone theories were to the temperament of Charles II., yet even he felt that the complication was awkward. The humour of the situation might appeal to him; but he knew his Chancellor well enough to be sure that such a revelation would come as a thunderbolt to him. Hyde's principles were those of the older generation. The intrigue would be hateful to him no less as treason to the Crown than as a trespass upon the good name and dignity of his own family. That ideal of simplicity and directness which he regarded as the very essence of domestic morality had been blurred and marred within his own home by the taint of that poison which he believed to threaten the perversion of English life. From its encroachments he would fain have kept his own household free; but it was in that household that he saw that poison first assert itself, and even encroach upon the royal dignity which, by tradition and by principle, was to Hyde a sacred thing. Charles correctly gauged the storm that was brewing. In his perplexity he sent for Ormonde and Southampton, the Chancellor's dearest friends, and bade them broach to him the revelations of the Duke.

The meeting accordingly took place. Ormonde told the Chancellor "that he had a matter to inform him of that he doubted would give him much trouble," and advised him to compose himself to hear it. He then gave him the news: "That the Duke of York had owned a great affection for his daughter to the King, and that he much doubted that she was with child by the Duke, and that the King

required the advice of them and of him what he was to do."

The result was, as they had good reason to expect, and as they did expect. "The manner of the Chancellor's receiving this advertisement made it evident enough that he was struck with it to the heart." Most fathers would have felt such indignation; but to appreciate Hyde's feelings, we must remember at once the ideas of the time with which Hyde's memories dwelt, and the distinctive features of his own character. The monarchy for which he had wrought and suffered, and which he would fain have seen restored in all its ample dignity, even if curbed by the supreme authority of the law, and by the balance of the constitution, was one which, even in the days of his own manhood, had been draped in "the divinity that doth hedge a King." For him, behind the frivolous and wayward personality of Charles II., there loomed, clear and distinct, the imperishable stateliness and dignity, and the unapproachable pride, of his father.

That presence, made sacred by martyrdom, was enshrined in Hyde's heart of hearts, and shaped his ideals. His aim was to restore the monarchy to all its former dignity and stateliness, secured and not weakened by constitutional limitations. But if this were to be accomplished, there must be no stain on the royal prestige by an alliance with a family which was little above bourgeois rank. What he would have deemed worthy of dire punishment in another, now presented itself to him as something in which his own family was primarily involved. It was in violent antagonism to all his traditions and convictions; and men like Hyde do not lightly suffer a shock to their convictions.

We must not forget that there was another and even more natural cause for his anger. Because Hyde's family held no high place among the nobility of England, it did not

follow that he had no legitimate ground for family pride. He belonged to the proudest stock in existence—the ancient yeomanry of the land. Men of his race had held high and responsible office, and their name was without a taint. The Chancellor could not but realize that his own work had even already made history, and that it had secured for his family name a high and permanent place in the annals of England. He had no mind to learn the lesson of a new and foreign fashion, and to find in left-handed alliances with royalty a flimsy pretext to consideration and a stepping-stone to power. It must be noted, also, that in the story, as presented to him, there was a mere tale of unguarded love, and that his daughter's honour was to be at the hazard of any arrangement that might be patched up on grounds of policy and convenience. He might not unreasonably deem that honour which was to be so preserved was scarcely worth preserving. His soul abhorred the fetid turpitudes that stained the purlieus of the Court, and if he served in that Court, he was determined that his own character, and that of his family, should not be besmeared. Hyde was no strait-laced moralist. He had been familiar in his earlier days with a society that was by no means puritanical, and he could discern fine points of character, and find attractive friendships, amongst men whose morality was avowedly lax. But it was the vulgar obscenity of Charles II.'s Court that moved his contempt; and he was suddenly brought face to face with the announcement that his own family was involved in it, and that, too, in circumstances which must inevitably give rise to the suspicion that laxity of morals was allied with the sordid promptings of selfish ambition. For a man so proud as he, it was the chief tragedy of his life.

We need not, then, be surprised that his indignation knew no bounds. The love he had borne for his daughter only increased his anger. He broke out against "her

wickedness," and swore "that he would turn her out of his house, as a strumpet, to shift for herself." Ormonde and Southampton strove to moderate his rage by telling him that they believed his daughter to be already married to the Duke.

His answer was astounding enough.

"If it were true, he was well prepared to advise what was to be done; that he had much rather his daughter should be the duke's whore than his wife; in the former case nobody could blame him for the resolution he had taken, for he was not obliged to keep a whore for the greatest prince alive; and the indignity to himself he would submit to the good pleasure of God. But if there were any reason to suspect the other, he was ready to give a positive judgment, in which he hoped their lordships would concur with him; that the King should immediately cause the woman to be sent to the Tower, and to be cast into a dungeon under so strict a guard, that no person living should be admitted to come to her; and then that an Act of Parliament should be immediately passed for the cutting off of her head, to which he would not only give his consent, but would very willingly be the first man that should propose it."

"And who ever knew the man," adds Hyde, in all the leisure of reminiscence, and of exile, "will believe that he said all this very heartily."

A strange and frenzied utterance, indeed, to come from a father's lips! No wonder that, on the King entering the room, Southampton should have made the comment, "That his Majesty must consult with soberer men; that he (pointing to the Chancellor) was mad, and had proposed such extravagant things, that he was no more to be consulted with." We can only try to judge the words with such leniency as we may, bearing all the circumstances in mind.

The tidings had first come to Hyde as an announcement

of his daughter's dishonour. After that first blow had fallen, a new aspect was given to the case, by the avowal of his friends that his daughter had covered her dishonour by a formal marriage, and by becoming a participant in a plot, which, to the mind of Hyde and his contemporaries, was of a treasonable character. The Act which prevented any member of the royal family from contracting a marriage without the formal assent of the King was not passed until the following generation. But its absence from the Statute Book was due only to the fact that such an offence against the dignity of the Crown was forbidden under weightier sanction, and the treason it involved admitted of no doubt. The days were past when the crime of a secret marriage within the royal line could be punished, as in the case of Lady Arabella Stuart, by life-long imprisonment; but it did not follow that to one nurtured on these traditions the crime had lost its heinousness. It struck a deadly blow at that ideal of the royal dignity which it was Hyde's chief aim to restore. By a freak of frivolous licentiousness, he saw the foundations of his life's work sapped. Into none of the love affairs of Charles II. and his brother did the tragedy of passion ever enter. Like the rest, this was a bit of vulgar, commonplace intrigue. It was scarcely wonderful that the revelation of its sordid details stirred to frenzy that temper the heat of which Hyde himself so often laments.

But the resolution of the Chancellor, frantic as it might appear, was not to be shaken. The King personally called for his advice, and it was repeated to exactly the same effect. He would rather, he said, submit to the disgrace than that it should be repaired by the Duke's making her his wife:

"the thought whereof," he said, deliberately, "I do so much abominate, that I had much rather see her dead, with all the infamy that is due to her presumption." "I beseech

you," he said to the King, "to pursue my counsel, as the only expedient that can free you from the evils that this business will otherwise bring upon you."

With still greater freedom he went on, noticing that the King did not relish his advice.

"I am the dullest creature alive, if, having been with your Majesty so many years, I do not know your infirmities better than other men. You are of too easy and gentle a nature to contend with those rough affronts which the iniquity and license of the late times is like to put upon you before it be subdued and reformed. The presumption all kind of men have upon your temper is too notorious to all men, and lamented by all who wish you well; and, trust me, an example of the highest severity in a case that so nearly concerns you, and that relates to the person who is nearest to you, will be so seasonable, that your reign, during the remaining part of your life, will be the easier to you, and all men will take heed how they impudently offend you."

Whatever we may think of the Chancellor's advice, it was unquestionably sincere. Hyde was not the man to make a show of severity merely in order to clear himself of the suspicion of being privy to the plot. It is hardly necessary to say that, as a practical matter, his advice was extravagantly absurd. Charles's sense of humour, if nothing else, would have saved him from any such proposal. The day was gone when the machinery of English law could be used to magnify an intrigue of gallantry into the dignity of tragedy. Anne Hyde's head was perfectly safe; and had any other suggestion ever been made public it would have been laughed out of Court. Her character might, indeed, have been ruined; she might have been denied recognition as a wife; and steps might have been taken for her quiet seclusion from public life. But a State trial would have been a grotesque absurdity; and Charles was acute enough

to take the frenzied advice of his honest Minister at its just value.

Meanwhile the Chancellor tried to put into operation within his own house his drastic views of parental authority. His daughter was commanded "to keep her chamber, and not to admit any visitors." Even the remonstrances of the King and the Duke of York did not avail to make him abate this exercise of his rights. It is not surprising that his severity was rendered nugatory, and that his daughter found means of admitting her husband's visits "by the administration" (as Hyde quaintly puts it) "of those who were not suspected by him, and who had the excuse, that they knew that they were married." Lady Hyde evidently thought that there were better ways of arranging matters than the dungeon and the block.

But there were other exalted personages to be placated, and they were less likely to take a lenient view. The Princess of Orange could scarcely be expected to see with equanimity her protégée and maid of honour advanced to a position superior to her own. Queen Henrietta was not apt to tolerate any invasion of her rights. Both these ladies were soon to visit England, and between them poor Anne Hyde stood little chance of a welcome within the guarded circle of royalty.

It was partly to smooth the way for the alliance, and partly out of no unnatural gratitude, that Charles now declared his intention of conferring a peerage on the Chancellor, and gave him a grant of £20,000 out of the amount which Parliament had sent to him at the Hague. Hyde had previously refused the peerage, as likely to provoke jealousy; but now the juncture seemed opportune, and he accepted it with gratitude. On November 6th, he took his seat in the House of Lords as Baron Hyde of Hindon.[1]

[1] Hindon is a small village in Wilts. surrounded by down lands, and

But this moderate step of advancement in no way mitigated the sense of the degradation of the alliance felt by the Princess and the Queen. Henrietta was not in the habit of veiling her feelings in any language of moderation; and her anger was shown at once, by action and by words. Once more she allowed full swing to the fury of her temper against the Chancellor, who had experienced it before. Her irritation was speedily observed, and the baser spirits that haunted the Court readily discerned and welcomed a means by which they could earn a degrading gratitude. Scandals were soon propagated against the virtue of Anne Hyde, and they were forced upon the ears of the Duke by those who were his intimate and trusted friends, and who professed themselves impelled, forsooth, by conscience and loyalty, to betray to him their own share in the infidelities of his wife. It is a picture of revolting turpitude, and not the least strange feature about it is the tolerance with which that turpitude was treated, in a society, and at a Court, where honour and manliness were professedly esteemed, and where, even if morality was little regarded, a standard of polite manners was supposed to be observed.

According to Hyde's own account, there was one man only who took upon himself the degrading task of fabricating lies which might satisfy the prejudices of the Queen, and might afford to the Duke a convenient pretext for breaking his plighted faith. This was Sir Charles Berkeley,[1] captain of the Duke's guard, and notable, even in that dissolute Court, for his pre-eminence in licentious disorder. He, at

situated a few miles from Hatch House, the home of Lawrence Hyde, and from Dinton, the Chancellor's birthplace. Until the Reform Bill of 1832, it returned two members to Parliament.

[1] Sir Charles Berkeley was the nephew of Sir John Berkeley, created Lord Berkeley of Stratton (see *ante*, p. 40). This Charles Berkeley received, by the doting favour of the Duke, promotion of which he was entirely unworthy. He was given high command in the Fleet, and created first Lord Hardinge, and then Earl of Falmouth. Few regretted the cannon-ball that ended, in 1665, his brief and ignoble career.

least, was prepared to publish himself in two of the most contemptible characters which human nature knows—the seducer who proclaims his stolen love, and the wretch that accepts the cast-off mistress of his patron. The author of the "Mémoires de Grammont," adds Lord Arran,[1] Jermyn, Talbot and Killigrew—whom he characterizes as "all gentlemen of honour"—in making up a vile crew of conspirators. But whether the infamy was that of one man, or was shared amongst these gentlemen of honour, it prevailed for a time to shake the faith of the Duke, who was further persuaded, against the evidence of his own ears, that it was the Chancellor's intention to insist upon his daughter's rights, and to appeal to Parliament. That threatened opposition, the Duke met by cowardly bluster, which the Chancellor was easily able to rebuff by an indignant denial of such tales. For the injury the Duke had done him, he said, he was answerable to "One Who is as much above him as his highness was above him." The Chancellor's sense of proportion is curious, but may perhaps be condoned as of a piece with the fulsomeness of the day.

"He was not concerned," he added, "to vindicate his daughter from any of the most improbable scandals and aspersions; she had disobliged and deceived him too much for him to be over-confident that she might not deceive any other man,[2] and therefore he would leave that likewise to God Almighty, upon Whose blessing he would always depend, whilst himself remained innocent and no longer."

The Duke had the grace to see that he was in the wrong, and that, whatever the truth of Berkeley's story, he had no grievance against the Chancellor.

[1] With regard at least to Lord Arran, the son of Hyde's own chosen friend, Ormonde, we prefer to believe that the Grammont scandal is a falsehood.

[2] Brabantio's words were doubtless ringing in his ears: "She has deceived her father, and may thee."

Anne Hyde's attraction consisted, not in personal charms, but in a sprightliness of humour, and in no inconsiderable mental gifts; and she certainly played her cards well at this juncture. When her fate was at its crisis; assailed by the vilest and most unscrupulous calumny; the object of her father's indignation, and of her husband's suspicion; the mark of the Queen's violent jealousy—she kept her head, and managed to reach harbour safely. The royal family was visited by other griefs. The Duke of Gloucester and the Princess of Orange both died of small-pox within a few days of one another. Queen Henrietta found that her comfortable return to France was unlikely, if she came back in avowed hostility with her sons. For her, even the violence of her temper never obscured what was for her personal advantage; and her jealousy of a plebeian daughter-in-law began to wane. She no longer swore that "when that woman entered Whitehall by one door, she would leave it by another." By degrees she became less obstinate; and the propagator of the scandal found that his lies were likely to cost him dear. With the changed atmosphere, Berkeley learned that safety lay in recantation; and, with undiminished shamelessness, he now sought reconciliation with the new Duchess, the victim of his doubly loathsome lies. With craven hypocrisy he represented to the Duke that these lies had been the fruit only of over-eager solicitude for his master's peace. Now that the marriage was to be recognized, he confessed the baselessness of his charges, and made his humble amends to the Duchess and her father. The Duchess received him graciously; "he came likewise to the Chancellor, with those professions that he could easily make; and the other was obliged to receive him graciously." A reconciliation was patched up between the Queen and the Chancellor. All agreed that the best must be made of what was a bad business; and the

Chancellor was content to find that he could drag himself out of a degrading business with his personal honour unassailed, and that his power was confirmed by the failure of his enemies' intrigues. In April, 1661, he was raised to the further dignities of Earl of Clarendon, and Viscount Cornbury.[1] A further offer from the King of 10,000 acres of Crown land, he respectfully declined; and knowing well how easily he could stir the envy of other courtiers by receiving too lavish honours, he also declined the offer of the Garter. Even more firmly he repelled the suggestion of Ormonde that, in the place of the Chancellorship, he should accept the position of Prime Minister. The proposal was absolutely opposed to Clarendon's theory of the English Constitution, and savoured, too much for his taste, of the fashion of the French Court. He knew better than his friends, how uncertain was his hold upon the fickle disposition of the King.

[1] Evelyn tells us "that his supporters were the earls of Northumberland and Sussex; that the Earl of Bedford carried the cap and coronet, the Earl of Warwick the sword, and the Earl of Newport the mantle." The new earl did not look amongst his oldest comrades for those who were to assist him in his accession to new rank. His new title was taken from the famous Royal domain of Clarendon, near Salisbury, of which a lease had been granted to Hyde. He appears never to have held the fee simple of the manor from which he drew the title by which he is known to history.

His second title of Viscount Cornbury was taken from the Manor of Cornbury, in the Royal forest of Wychwood, in Oxfordshire, of which Clarendon was made Ranger, on August 19th, 1661. Cornbury Park had been occupied in the past by men great in English history, including Elizabeth's favourite, the Earl of Leicester. Some parts of the house date from the sixteenth century. Hyde planned, and began, large additions, which were not completed until after his death, and no part of which he ever saw. The architect was Hugh May, who was employed in the repairs of Old St. Paul's. The stone of the Cornbury quarry was of peculiar excellence, as is shown in the present fabric. May, no doubt, used the stone which he had there tested, for St. Paul's, as well as for Clarendon House, in St. James's; and this easily gave rise to the scandal that Clarendon had used the stone intended for St. Paul's for his own residence.

Hyde was greatly attached to Cornbury, and he probably had as much reason to blame himself for lavish expenditure on that, as he admits that he had for the extravagant scale of his town house. Cornbury was sold to the Duke of Marlborough in 1751.

An admirable account of Cornbury has recently been given in a splendid volume privately printed by the present owner, Mr. Vernon Watney, of which there is a copy in the Bodleian.

"England," he said, "would not bear a favourite, nor any one man who should out of his ambition engross to himself the disposal of the public affairs." "No honest man would undertake that province; and for his own part, if a gallows were erected, and he had only the choice to be hanged or to execute that office, he would rather submit to the first than the last."

It was characteristic of Hyde to give dramatic expression to his own objections.

"The King," he reminded Ormonde, "was so totally unbent from his business, and addicted to pleasures, that the people generally began to take notice of it; that there was little care to regulate expenses when he was absolutely without supply; that he would on a sudden be so overwhelmed with such debts, as would disquiet him and dishonour his counsels." "The confidence the King had in him, besides the assurance he had of his integrity and industry, proceeded more from his aversion to be troubled with the intricacies of his affairs than from any violence of affection, which was not so fixed in his nature as to be like to transport him to any one person."

New men would soon supplant him in these fickle affections; "it being one of his Majesty's greatest infirmities, that he was apt to think too well of men at the first or second sight." Without the Chancellorship, he "would haunt the King's presence with the same importunity as a spy upon his pleasures, and a disturber of the jollity of his meetings; his Majesty would quickly be nauseated with his company, which for the present he liked in some seasons." If the King were happily married, and his revenue settled, they might have some hope of better things. Meanwhile he could only try to wean the King from his pleasures, to habituate him to business, and so to prevent the worst

consequences of ill-company. He gave the same answer to the Duke, when he pressed the same suggestion.[1]

Clarendon was under no false impression. He knew well how slippery was the path before him, and how slight was the hold he had upon the wayward humours of the King. His friends might urge that he might, by becoming First Minister, secure his position and render himself impregnable against attack. He knew better the virulence of his foes, and could only hope to disarm it by conforming to those constitutional principles which his conscience told him were the only hope of an issue from the present entanglements. He soothed, as well as he might, the susceptibilities of the Duke, who thought his refusal proceeded from his being too proud to accept promotions suggested by his son-in-law. He could only promise that he would receive no advancement that was not procured by the Duke's own aid. As a fact, he accepted no further honours.

Amidst such treacherous currents Clarendon could only trim his sails as best he might, and steer the course his sense of duty taught him. He was not deceived as to the dangers that threatened him.

[1] It may be well here to refer to the Treatise of Advice to Charles II. written in 1660 or 1661, which is preserved amongst the Clarendon MSS. in the Bodleian, and which was long accepted as the work of Clarendon. This view is discredited by the production itself, which appears to me to be stupid, vapid, commonplace and silly, and, in some respects (*e.g.* the Government of Scotland) is actually opposed to Clarendon's known views. But I am indebted to that eminent master of this domain of history, Professor Firth, of Oxford, for the guidance which, on sound and conclusive reasons, assigns the authorship to the Duke of Newcastle, who had been tutor to Charles II., and to whose views and diction it is much more akin. In the Duchess of Newcastle's Life of her husband, some of the observations ascribed to him are taken from the "Advice," to which she incidentally refers. There is another MS. copy at Welbeck.

CHAPTER XVII

SCOTTISH ADMINISTRATION

The Chancellor had declined the suggestion that he should change his present office for the doubtfully constitutional one of Prime Minister. He would fain have confined himself to his legal duties, and have only interfered by general advice in regard to matters of administration. But, as a fact, such abstention was not possible. A thousand questions had to be settled; if any consistency of policy were to be maintained the influence of one guiding spirit must be felt. Order had to be reduced out of chaos, and some semblance of business methods must be observed. If that could be done by any one, it must be by the Chancellor. It forced him into many uncongenial spheres. Amongst these none was more out of the reach of his sympathy than the turbid stream of Scottish politics.

Under the rule of Cromwell all that had been distinctively national, either in religion or civil Government in Scotland, had been rudely and unsparingly crushed under foot. English law was administered by English deputies. The pretensions of Presbyterian autocracy had, for the time at least, been effectually curbed. English garrisons terrorized the country. The nobility and the commonalty alike had been disciplined into obedience with a rigour that speaks volumes for Cromwell's coercive power. A very moderate representation in such English Parliaments as had occasionally been summoned by Cromwell, was all that was permitted to Scottish claims.

In the death of the Protector and the fall of his successor all parties in Scotland alike saw the birth of new hopes. All were alike monarchical in sympathy, and made speed to avow that sympathy, as soon as Monk withdrew his adherence to a Commonwealth. But, beyond that, what shape was the Restoration to take in Scotland? Were the older cavaliers to be uppermost, and with them was Episcopacy to be restored? Or was Presbytery to assume its former domination, and to dictate to the sovereign the terms on which he was to be permitted to reign?

The whole thing came too suddenly for any settled plan to be formed. At Breda no such terms were even discussed for Scotland as were embodied in the Declaration for England. Repression in Scotland had produced its natural fruit, a host of men for whom politics meant little else than adroit deception and cunning intrigue. Political morality was at its lowest ebb, and amongst the motley crew it is hard to pick out one man whose standard of decency of life or honesty of principle can face even lenient criticism.

The various claimants addressed themselves, very early in the day, to Hyde. In adversity he had learnt to suspect the honesty of Scotsmen, had been alienated from them by their religious views, and dreaded the obstinacy of their political independence. He was not likely to welcome its revival now that the Cromwellian yoke was removed; and all the overtures that came from them were to his mind open to suspicion of duplicity. Even at Breda he found himself courted by different applicants for his favour. The chief of these was the Earl of Lauderdale, who, in spite of his former close association with the Covenanters, and his pretence of rigid Presbyterianism, had solid claims to Royalist consideration. He had supported the present King during the rigorous days of his nominal reign in Scotland, had marched with him to Worcester, and had been kept a prisoner by Cromwell

since 1651. Such titles to consideration Lauderdale was eminently fitted to turn to good use. Under an uncouth exterior, with a clumsy frame and a gross countenance, further disfigured by a tongue too big for his mouth, Lauderdale concealed a power of crafty insinuation in which he repeated some of the dexterity of his kinsman of a former generation, Maitland of Lethington, known in the Courts of Elizabeth and James VI. as "the Chameleon." To natural talent Lauderdale added a scholarship and linguistic acquirements which were rare in his age. Intellectually he towered above his contemporaries. Creeds and principles, for which his countrymen were ready to do battle or to die, were for Lauderdale mere playthings in the game of intrigue. The Covenant, the orthodox standards of Presbyterianism, nay even the foundations of religion, were subjects of his mockery. The liberties of his country were only useful to him as a specious pretence, which might be roughly trampled on when the opportunity came. To Hyde he had always been an object at once of suspicion and dislike. At times during the days of the royal banishment they had come to an open rupture. Now Lauderdale was full of flattery to the Chancellor. He recognized, as the products of wisdom, schemes of Hyde's which he had before derided. He endeavoured to appease Hyde and he managed to capture Charles. He derided the Covenant; laughed at his own folly in formerly supporting it; confessed his repentance for his days of rebellion; was convinced of the sound loyalty, and episcopalian compliance of his country. But, only, caution was necessary. Nothing must be done too quickly. And Lauderdale alone was fitted to advise as to time and opportunity.

Hyde had other applications from Scotland. Lauderdale had some strong adherents. The old Earl of Crawford had just claims to consideration. He was a stout fighter and a

strong and faithful Royalist, whose Presbyterian sympathies did not shake his loyalty. His son-in-law, the Earl of Rothes, had attracted the friendship of Charles, and his coarse profligacy had not yet had time to weigh down his reputation. The Earls of Tweeddale and Kincardine were both respectable in comparison with many of their political associates, and if they did not bring great talents to their party, they at least were not the source of flagrant scandal to any cause to which they adhered. All these represented that section of the nation which did not drop its Presbyterianism with its assumption of increased Royalist zeal, and which claimed to have made ample atonement for any former rebel sympathies by the efficacy of its new adherence to the cause of the Crown. They all belonged to the party which supported Lauderdale.

But there was a very different faction which was bitterly jealous of Lauderdale and his party. These were the older Royalists, who had never been tainted with Cromwellian sympathies, and who had forgotten any former acceptance of the Covenant which might now have been brought up against them. They reflected with almost greater bitterness the jealousy with which the older English cavaliers regarded those who had gained their influence at Court by a belated, and, it might be held, selfish, adherence to the Restoration schemes. Amongst them were the Earl of Glencairn, who had kept strictly aloof from the late *régime*, and had withdrawn to the Highland fastnesses from the reach of Cromwell's troops; the Earl of Middleton, a rough soldier of fortune, who had none of the dexterity nor of the learning of Lauderdale; and Sir Archibald Primrose, who supplied to his party some of the eloquence and political experience which his companions lacked.

For the moment all parties vied with one another in a common desire to pose as the enemies of Argyle. He was

looked upon, by all alike, as the craftiest and most powerful enemy of monarchical power. The carefully limited deference—approaching closely to thinly veiled insolence—which he had shown towards the King during his stay in Scotland, was now recalled as at once overbearing and deceitful. His grasping ambition, and the marvellous dexterity with which he had overreached all parties in turn, made him the object of a common hatred and jealousy—perhaps of a common fear. All these passions might now be satisfied by an obtrusive assumption of heartiness in resenting his former treatment of the King, and his early sympathy with the rebels. As Clarendon himself says,[1] "They were all, or pretended to be, the most implacable enemies to the Marquis of Argyle; which was the 'Shibboleth' by which the affections of that whole nation were best distinguished."

The two most interesting figures in Scotland during the twenty years just past had unquestionably been Montrose and Argyle. The first had been well known to Clarendon, and the spell of Montrose's heroism and romance had earned his enthusiastic admiration. Argyle had been the object of his suspicion from days long past; and striking as were Argyle's abilities, his character was as little fitted to rouse enthusiasm in Clarendon as it was to command the veneration of posterity. Montrose and Argyle offered the strangest contrast. The one was a type of high-souled chivalry; a consummate strategist, whose genius was inflamed by the very hopelessness of the cause for which he fought. His was no half-hearted loyalty, and in his later years he had been proud to sacrifice himself for the causes that were dear to Clarendon's soul. To Clarendon, Montrose was the one conspicuous example of the unselfish Scottish Royalist, and Argyle was regarded not only as the contriver of Montrose's

[1] *Life*, i. 425.

death, but as the insulter of his latest hours. Argyle was the most finished type of crafty politician, pursuing a selfish game of duplicity. His insinuating manners and the superficial humour with which he could cloak his designs did not in any degree compensate for the ugly taint of personal cowardice which could not but be distasteful to an age of fighting men. With extraordinary skill Argyle had managed to conciliate popular support, while he remained the one overpowering territorial magnate in Scotland, whose unquestioned sway over the western islands was as dangerous to popular liberties as to the authority of the Crown. Clarendon fitly paints him in the words with which Virgil describes Drances :—

> "Largus opum, et lingua melior, sed frigida bello
> Dextera, consiliis habitus non futilis auctor,
> Seditione potens."

But unfitted as he was to shine in camp or to attract enthusiasm, Argyle none the less commands our respect by the abilities which raised him far above the crowd of smaller men around him. He was under no delusion as to the extent of hatred which his power had bred, and as to the vengeance to which Montrose's death prompted all who had been Montrose's friends. But he could still base hopes upon his own dexterity, and he faced the danger with a courage which showed that his lack of warlike prowess did not prove him altogether a coward. He repaired to London and sought to throw himself at the feet of the King, hoping to recover some of that personal influence which he had managed to exert even in the irksome days before the fight at Worcester. He was met by a solid front of irreconcilable hostility, and instead of being received at Court he found himself a prisoner in the Tower. From thence he was sent to Scotland to await his trial at the hands of those who were determined on his final ruin. There was no Act of Indemnity to protect

him, and he knew well that no party in the State was prepared to sacrifice its own interests for his preservation. Standing at bay against his foes at home; deserted by those amongst whom he had once exercised supreme sway; betrayed by the treachery of Monk, who did not scruple to send to Scotland some compromising letters which involved Argyle in plots against the King, Argyle was at length reduced to one last resource. He knew the dominating influence of Clarendon, and he knew also that, although his enemy, Clarendon was not likely to press a mean advantage or to act under the influence of personal revenge. To him he turned when all other hope was gone; and in a letter,[1] which must have been written after Hyde was created Earl of Clarendon, in April, 1661, he appeals to the Chancellor's well-known wisdom and justice against those who—

"From a pretence of zeal to his Majesty's service have been so prodigal of their informations against me," and who desired "to lay the blame at one man's door (though more innocent than many others) rather than put it where it ought justly to lie." "Although," he proceeds, "I lay no claim of merit upon any of my endeavours for his Majesty's service, being no more nor my duty, yet, I may say, I was ever faithful and sometimes useful, and never disloyal to his Majesty or his interest, though I might be carried away in a spate by human imbecillity. What assistance your Lordship shall be pleased to contribute in bringing me within the compass of his Majesty's mercy, shall be acknowledged as a perpetual obligation upon the family of your Lordship's most humble servant, ARGYLE."

He had already offered a price for mercy by promising to communicate "somewhat that would highly concern his Majesty's service."

Even those to whom his actions and his character have

[1] Printed by Lister, vol. iii., p. 129, from the Bodleian MSS.

no attraction, must acknowledge that in these words Argyle advances no undignified appeal. Whether Clarendon would have aided that appeal it is impossible to say. Argyle's power, he might not unreasonably have judged, would have been incompatible with any settlement leaving adequate authority to the Crown. But however that might have been, Clarendon's intervention was never called for. Within forty-eight hours of the sentence of a court in which the influence of his enemies was dominant, and before there was time to appeal to London, Argyle was executed. Montrose was avenged; and just as his greatest rival fell, his own scattered quarters were gathered from the ports where they had been exposed, and buried in an honoured grave. The two great protagonists were gone, and Clarendon had to manage Scottish affairs through lesser men.

In that task he was handicapped by one serious disadvantage—his own absolute ignorance of the country and its conditions, and as its natural consequence an impenetrable lack of sympathy. To him Scotland was simply the home of deep-rooted and obstinate rebellion. Her Church represented to Clarendon the sternest and most repulsive form of Presbyterianism, the very antithesis of all Clarendon's ecclesiastical ideals. The national character was to him a mere amalgam of obstinacy and unblushing treachery. Her territorial nobility were to him a selfish caste, who had bargained away all their real influence over their countrymen in their greedy race after plunder. Their religious zeal was to him—and that on no mistaken grounds—merely a hypocritical cloak for coarse and besotted profligacy, not less vicious and much more degraded than the more flaunting and luxurious licentiousness of the English Court. Of the fundamental aims of the nation, of the deep-seated traits of their character, he was profoundly ignorant. At once turbulent and mean-spirited, pharisaical and profligate;

poverty-stricken and yet proud; bigoted in its beliefs, and yet careless of all the decencies of religion—such is the aspect which Scottish national character bore to Clarendon. To a superficial and distant observer there was not a little which justified such a judgment; and in the case of Clarendon it was buttressed by a solid mass of honest, however perverse, prejudice.

The agents in the Government of Scotland were the Earl of Middleton, Lord Commissioner; the Earl of Glencairn, Lord Chancellor; the Earl of Rothes, President of the Council; the Earl of Crawford, Lord Treasurer; the Earl of Lauderdale, Secretary of State; and Sir Archibald Primrose, Lord Register. They were split into two bitterly opposed factions, that of the older Royalists, and that of more recent adherents, who were tainted with suspicions of intractability at once in Church and State. The first was led by Middleton; and he was no match in dexterity for Lauderdale, who led the opposite party. Clarendon had to manage an ill-harnessed team. By sympathy and former friendship he was inclined to the older Royalists; but he often found them untrustworthy agents. And we must remember that in English politics he was by no means of opinion that the King should look with suspicion on recent converts.

The first question to be settled was that of Indemnity. No previous stipulation prescribed it; but Clarendon was too shrewd not to perceive the certain ill-consequences of a terrorism of vengeance. The influence that chiefly worked against any complete Indemnity was the ignoble desire of those in power to profit by the slower process of forfeitures. Lauderdale did all he could to push forward a settlement of the terms of Indemnity; Middleton and his adherents delayed it, and endeavoured to compound with delinquents in a spirit of barefaced huckstering.

A second question related to the maintenance of the English garrisons in Scotland. As a curb upon the national spirit of rebellion, Clarendon thought that, although they were monuments of Cromwellian rule, the garrisons were essential. He did all he could to maintain them; but Lauderdale was able to carry the King with him in their abolition on the plea of their injury to national pride, and their certain result in national discontent, and Clarendon's advice was set aside. The popularity which thereby resulted was a strong asset in Lauderdale's favour.

A question of even more importance was that of the method of administration. Although the Scottish Parliament was restored, Clarendon was no favourer of unrestricted Home Rule, and rightly discerned its dangers at once to the Crown and to responsible Government. He insisted that the Committee of Privy Council, which dealt with Scotland, should meet in London, and that six English Privy Councillors should be members of it. Here, again, it was an easy matter for Lauderdale to urge the offence that would thus be given to Scottish feelings. His real motive for resistance was the curb that would thus be placed on that power which he was plotting to engross in his own hands. Had it been preserved, that council would have formed a defence of Scottish liberties; its tincture of impartial statesmanship would have checked the growth of the petty local tyrants, and limited their influence. For two or three years Clarendon was able to maintain this independent council; it was only when his vigilance failed, and when his attention was otherwise engaged, that Lauderdale's pertinacity was rewarded, and a pernicious system of local tyranny admitted.[1]

But the central point of combat was that regarding the

[1] It is not unimportant to note that even Burnet's Scottish sympathies and confirmed Whiggism did not prevent his outspoken preference for Clarendon's plan over that of Lauderdale.

restoration of the Episcopal form. It was only natural that Clarendon, from his own tastes and traditions, as well as from the memory of his first master's desires, should have placed this object first. Even at Breda, Sharp—afterwards Archbishop of St. Andrews—had obtained audience of Clarendon, and as the accredited agent of Middleton and Glencairn, had shown a readiness to transfer his own allegiance from Presbyterianism to Episcopacy. Clarendon's sympathy led him to give to Sharp a trust that was little merited, and he became, through Sharp's means, involved in an intricate maze of double-dealing which sought to lull the suspicions of the Presbyterians to sleep, while secretly paving the way for a complete Episcopal restoration. Sharp's dominating motive was unabashed personal ambition. He was ready to make compromising concessions in points of principle, in order to obtain the outward recognition of Episcopacy, and the re-establishment of the Episcopal sees. Clarendon knew well, from old experience, the danger of exciting national susceptibilities, and was wise enough to urge caution to his subordinates; but cautious and wary statesmanship was the last thing to be expected from the double dealing of Sharp, or in the drunken counsels of Middleton and his adherents.

Meanwhile Lauderdale, while he did not hesitate to decry the Covenant, and to make eager profession of his own recantation of its bigotry, urged that no premature steps should be taken for restoring Episcopacy. That it would come in time he had no doubt; but it would be the height of folly to arouse susceptibilities that might easily be soothed by cautious dealing into a peaceable acceptance of the ecclesiastical forms that were approved at Court.

But Middleton and his adherents were now determined to carry matters with a high hand. Clarendon must have chafed to see a policy, with which in general he agreed,

JOHN MAITLAND, DUKE OF LAUDERDALE.

(From the original by Sir Peter Lely, in the National Portrait Gallery.)

pressed with a recklessness that was certain to defeat itself. An Act was passed rescinding at one stroke all Acts passed since 1633. Burnet's phrase about it is, for once, scarcely too strong. "It was a most extravagant Act, and only fit to be concluded after a drunken bout." In that it agreed only too closely with other projects devised by Middleton and his convivial band. Lauderdale protested; and this time, if we are to believe Burnet, Clarendon found himself obliged to side with the Scottish Minister whom he most profoundly suspected.

In this course matters proceeded. In 1662, by an Act drafted by the suspicious hand of Sharp, Episcopacy was restored, but restored under auspices that reflected little credit on the statecraft that guided its restoration. The details of Scottish political intrigue—culminating in a deadly struggle of irresponsible tyranny with all the forces of enthusiastic religious frenzy—do not belong to Clarendon's life. But he could view their progress, so far as he himself was concerned in it, with nothing but disappointment. He was powerless to break down what he believed to be the narrow-minded obstinacy of national prejudice. He saw that the apparent triumph of Episcopacy was achieved by agents who made themselves contemptible in the eyes of their countrymen, and that it was bought at the price of arousing indomitable and stubborn resistance. He saw his own more immediate adherent, Middleton, playing into the shrewder hands of the far abler Lauderdale, by every error of tactics, by perverse neglect of the simplest rules of statecraft, by blundering deceptions and undisguised self-seeking. Again and again he found that the King, who, after all, cared but little for the distinctions between the sects of Protestantism, was alienated from the work by the folly of his own agents. By a strange freak of miscalculation Middleton and his friends thought to end Lauderdale's influence by excluding

him from the Indemnity, and pronouncing him incapable of holding office. It was an easy matter for Lauderdale to turn the tables upon them. They incurred the censure both of Charles and of Clarendon. Before Clarendon's fall came, the triumph of Lauderdale over his rivals was assured; but before Clarendon's life ended he might have learned to what a height of self-aggrandizement, and of unscrupulous oppression, the popular wiles of that astute tactician had helped him to attain. Had Clarendon been blessed with agents wiser than Middleton and more honest than Archbishop Sharp, the Government of Scotland might have been consolidated; the bitterness, to which her religious fanaticism was goaded, might have been assuaged; and one of the darkest pages in her annals, which was to follow within the next few years, might have been left unwritten. The Union might have been brought about thirty years earlier than it was, and it might not have bequeathed so many seeds of jealousy, and so much offence to national pride.

CHAPTER XVIII

THE PROBLEMS OF IRELAND

If the conditions of the new settlement in Scotland were a problem hard of solution to Hyde, the entanglement was even greater in the case of Ireland. He was ignorant of the real characteristics of Scotland, and alienated from the country by his antipathy to Presbyterianism. But Ireland was a hot-bed of faction, the intricacies of which baffled his discernment. There was no party there which was not honeycombed with treachery, and none to which there was not imputed, on fair grounds, actions of flagrant cruelty and injustice to one another, and of disloyalty to the Crown for whose favour they were now keen competitors. No wonder that the Chancellor, in his own words, "made it his humble suit to the King, that no part of it might ever be referred to him;" and that even the Duke of Ormonde, whose own interests were most deeply concerned of all in the future settlement there, "could not see any light in so much darkness that might lead him to any beginning." In the whole of Ireland it was difficult to find any one upon whose wholehearted loyalty the Crown could rely. The best were those who could allege some fancied injury from the late authority, which might atone for their own repeated acts of opposition to the Royalist interests. The Presidents of the two provinces of Munster and Connaught were Lord Broghill—who was created Earl of Orrery in 1660—and Sir Charles Coote. Both had been in close confederacy with Henry Cromwell, the

son of the Protector, and both had "depended upon him and courted his protection by their not loving one another, and being of several complexions and constitutions, and both of a long aversion to the King by multiplications of guilt." Under the short administration of Ludlow,[1] which followed the fall of Richard Cromwell and his brother Henry, who had been Lieutenant of Ireland, they had managed to hold

[1] Ludlow, full of hope that true Republicanism was now in sight, after Cromwell's death, had been sent over to Ireland as Commander-in-Chief, in July, 1659, and remained there till October, during which time he had established a *regime* that satisfied him, but that quickly fell to pieces after his departure.

Edmund Ludlow's long life, from 1617 to 1692, saw many changes, in which he was himself no inconspicuous actor, and for some part of which his *Memoirs* add considerably to our knowledge. He belonged to a family of some importance, although its political sympathies alienated it from its own class. His father, Sir Henry Ludlow, was a member of the Long Parliament, and was referred to in one of the King's Declarations drawn by Hyde (May 26, 1642) as having said in Parliament that the King was not fit to reign; and he was one of those whose impeachment the King desired (*Rebellion*, Bk. v. 280, 441). By that father's persuasion, Edmund Ludlow joined the Parliamentary army when war broke out, and he proved himself a zealous and doughty fighter. But he was stubborn and quarrelsome, and fanatically attached to an abstract scheme of Republicanism which was the abiding object of all his life. To him the question involved was, "whether the King should govern as a god by his will, and the nation be governed by force like beasts; or whether the people should be governed by laws made by themselves, and under a government derived from their own consent." It could hardly be possible to express the dispute in terms more distant from the truth. But with all the fanaticism of a narrow and pedantic nature he pursued this will-o'-the-wisp to the end. He afterwards, in 1646, entered Parliament as member for the village of Hindon, from which Hyde took his first title, of Baron Hyde of Hindon (then returning two members), and attached himself to the party led by Henry Marten. He was bitterly opposed to all compromise, and was one of the most conspicuous of the regicides. He could not see how any view but one was possible to any man who did not desire to be a slave; and yet, in his fanciful scheme of liberty, he did not hesitate to apply coercive measures to Parliament. The nation was to be governed by its own consent; but its consent was to be interpreted by the will of his own little clique. When Cromwell assumed more than monarchical power, he fiercely opposed him, and hailed his death as offering new hopes for Republicanism. He had long been employed in Ireland, and on this account assumed its administration in 1659. When the Restoration took place, he fled to Switzerland: and so active had he been, that his machinations were dreaded for many years. In 1689 he returned for a time; but the memory of his misdeeds as a regicide made even the Parliament under William III. unwilling to receive him, and he was obliged again to withdraw.

He was a zealous, narrow, pedantic, but honest partisan, whose enthusiastic belief in his own abstract ideas seemed to him to justify the most ruthless cruelty in Ireland.

their places and authority, and when Ludlow's power crumbled it was a race between them who might first proffer their obedience to the King, and enhance the value of that obedience by most effective promises. They watched assiduously the action of Monk. Each was anxious that his offers might be concealed from his rival. Each managed to secure some informal recognition of his offers of loyalty, and presumed himself authorized to make proposals to others on the King's behalf. They both professed a single-hearted endeavour to settle the King's authority, and each managed by underhand influence, and by lavish promises, to secure some powerful support. Lord Broghill was the abler of the two, and by his profuse devotion "quickly got himself believed." The Chancellor's scorn of such a man is best expressed in his own words. Lord Broghill, he says—

"Having free access to the King, by mingling apologies for what he had done with promises of what he would do, and utterly renouncing all those principles as to the Church or State (as he might with a good conscience do) which made men unfit for trust, made himself so acceptable to his Majesty that he heard him willingly, because he made all things easy to be done and compassed; and gave such assurances to the bedchamber men, to help them to good fortunes in Ireland, which they had reason to despair of in England, that he wanted not their testimony upon all occasions, nor their defence and vindication when anything was reflected upon to his disadvantage or reproach."

It was the familiar picture of which the Chancellor was already tired, of a King whose experience had taught him that Government was a thing of subterfuge, and of balancing between professed adherents whose loyalty was to be valued according to the estimate which trickery could place upon it. These new adherents vied with one another in promoting measures for restoring the bishops, and the laws of the

Episcopalian Church, of which they had lately been bitter opponents. No wonder that the Chancellor has more respect for such a man as Sir John Clotworthy, who did not dissemble his dislike of bishops and their rule, even while he laboured honestly to restore the prerogatives of the Crown.

The central difficulty in this seething mass of jealousy, corruption, and self-seeking was the question of land settlement. A reckless system of forfeitures and new grants, carried out under the successive supremacies of different interests, had left an inheritance of hopeless confusion, destined to be the lasting curse of Ireland. Twenty years of the bitterness of civil war had ended in a rough and ready settlement under the rule of Cromwell, where the spoils had been ruthlessly handed over to the victors. The Irish had been evicted with a cruelty that had no thought of justice, and those who had not been sent abroad to seek death or a precarious livelihood in the ranks of foreign armies, had been driven into the barren tracts of Connaught, any of them found outside those limits being hunted down like wild beasts. To have shown any sympathy with the Royalist cause, or even to have resisted the fierce rule of the Cromwellian soldiery, was enough, when added to their adherence to a tabooed religion, to mark them as beyond the pale of humanity. It was counted even as a mercy that they were allowed to earn a scanty subsistence in the most barren corner of the island. Strongly as he disliked their deep-rooted attachment to the Roman Catholics' religion, the Chancellor never deemed it an excuse for ruthless cruelty, and, in spite of their religion, their occasional display of enthusiastic loyalty to the Crown won for them something of his sympathy. But he is compelled to admit the appearance of prosperity which was reared upon the military oppression—an oppression which was rendered the more heinous in his sight because it involved also the absolute forfeiture of their vast estates in

the case of Ormonde and other loyalists, against whom no suspicion of Roman Catholic leanings could be alleged. Its very ruthlessness gave it an appearance of outward settlement and peace.

"It cannot be imagined," says Clarendon, "in how easy a method, and with what peaceable formality this whole great kingdom was taken from the just lords and proprietors, and divided and given amongst those who had no other right to it, but that they had power to keep it; no man having so great shares as they who had been instruments to murder the King, and were not likely willingly to part with it to his successor." "Ireland," he tells us, "was the great capital, out of which all debts were paid, all services rewarded, and all acts of bounty performed. And, what is more wonder, all this was done and settled within little more than two years, to that degree of perfection that there were many buildings raised for beauty, as well as use, orderly and regular plantations of trees and fences and enclosures throughout the kingdom, as in a kingdom at peace within itself, and where no doubt could be made of the validity of titles. And yet in all this quiet there were very few persons pleased or contented."

It was the sort of settlement for which history has exacted, as it always exacts in such cases, a rigid and long-drawn-out retribution.

But however specious might be the appearance of prosperity under the recent settlement, it was beyond all question that it must be disturbed. A Royalist Restoration could not leave in possession those whose property was held as a reward for fighting against the Royalist cause. Certain claims were of necessity revived, and no prescription could prevail against them. The Church lands must be resumed, and the Episcopal domains must be wrested from those who had gained them as the avowed enemies of the Church. About these there could be no question. Crown lands also must revert to the Crown, and had this source of revenue

been duly husbanded, it might have supplied a means of dealing with many claims that proved a source of endless and insoluble difficulty. There were certain outstanding Royalists, like Ormonde, whose loyalty was so indisputable, and whose claims were so easy of proof, that restitution in their case was simple, and any resistance to it would have amounted to a confession of rebellion. Lord Inchiquin [1] was able to bring himself within the same category on somewhat more doubtful grounds. Fortunately large tracts of domain had been retained by Cromwell, nominally as the property of the State, and in reality to secure his own power; and out of these many of the most indubitable claims could be met. But the harder questions were those involving claims which were more doubtful, between claimants whose rivalry rested upon more assailable grounds. Were all genuine Royalists to have a right to claim what was once their property? If forfeitures were to be redressed, were those who were forced to sell at nominal prices, or under the pressure of innumerable fines, to have no redress? Which Royalist support was the more valuable, that which had been steadfast from the first, and had been crushed by Cromwell's soldiers, or that which had atoned for rebellion in the past by opportune and efficacious support during the last few months? Much of the land had been granted to the "Adventurers," as those were called who had advanced money on the faith of Parliamentary pledges to meet the expenses of crushing the Irish Rebellion. The Adventurers could allege the security of an Act of Parliament, to which

[1] Murrough O'Brien, Earl of Inchiquin, had been much concerned in the curbing of the Irish Rebellion, in which he acted as the ruthless enemy of the Roman Catholics, whose religion he detested, and upon whom he inflicted the most merciless vengeance. His ardent Protestantism brought him to an understanding with the Parliament, and he acted sometimes as their agent rather than that of the King. But, in 1654, he had become as ardent a Roman Catholic, and managed to recover favour at Court, and was restored to his property after the Restoration. He died in some obscurity in 1674.

the assent of the King had, however unwillingly, been given. But it was well known that the most of the money so raised had been employed, not to fight Irish rebels, but to crush English Royalists; and those Adventurers alone had been able to retain their claims who had been found ready to supplement their original contributions by payments avowedly made to the war chest of the Parliament, when civil war in England engaged all their attention. How were such grants to be dealt with, and how was a due balance to be kept between condoning rebellion and undermining the faith built upon an Act of Parliament? Others held their lands in lieu of military pay long in arrear; and the fact that they had not turned their arms against those who were contriving the Restoration, might seem to give them a claim to generous treatment. The Irish Catholics could adduce many instances of their own conspicuous loyalty in the past, and it was difficult to furnish convincing proof of what might fairly be suspected, that such loyalty was prompted more by bitter hatred of the Presbyterians and Roundheads than by fervent devotion to their King.

The Chancellor might well be repelled from participation in this embroiled struggle, where it was hard to find any satisfactory clue which might lead to settlement. To satisfy all was impossible; and it was almost as difficult to suggest any principle or set of principles which could be uniformly applied. Every case varied; every claim was supported or opposed by evidence, equally abundant, and equally suspect.

At first the Adventurers and the representatives of Cromwell's troopers were most successful in establishing their claims before the commissioners who were sent to inquire. One settlement after another was attempted. The Roman Catholic Irish were able, a little later, to win some sympathy from Charles, which the Chancellor seems to have

partly shared. Another set of commissioners reopened the inquiry, and suggested another settlement, in which each faction was obliged to abate something of their claims. The Irish claim to loyalty was refuted by proof of their readiness, in their direst straits, to invite foreign aid, and to offer to repay it by the betrayal of the Royalist cause, and by breaking their allegiance to the King. One influence, and one influence alone, contributed to a solution, and that was the earnest desire of all, even at the cost of some diminution of their own claims, to escape from the palsying influence of uncertainty and doubt. The Chancellor accepted the different reports of the commissioners, and the successive projects of settlement, with a certain despair of any scheme of abstract justice, with little hope of even a peaceable solution, and with a not unnatural desire to rid himself of the whole unsavoury embroglio, and to detach himself from the angry and envenomed faction fight in Ireland. The Irish settlement was no part of Clarendon's work, and enters only indirectly into his life. Even more strongly than in the case of Scotland he abandoned any thought of an incorporating Union, and was glad to see the revival of an Irish Parliament. The task he had in hand was too hard to allow him willingly to add to it the baffling problem of restoring peace to Ireland.

But he could find little satisfaction in contemplating the work of those to whom the task was entrusted. The appointment of Lord-Lieutenant of Ireland had been only one of many gratifications which had been bestowed upon Monk, when he was created Duke of Albemarle, in recognition of the substantial benefits to the King which had resulted, when the long-drawn disguises of his tortuous and self-interested policy had gradually unmasked themselves. As general over the Irish army under the Cromwellian administration, he had contrived to secure an estate in Ireland worth

some four thousand a year, and it was of the first importance to him to retain a hold over any land-settlement in Ireland.

But Albemarle looked upon his post as Lord-Lieutenant only as an enhancement of his own importance in the State, and as a means of assuring that his own material interests in Ireland should be safeguarded. He had no thought of taking upon himself the burden of Irish administration in person, or of absenting himself from the English Court. It was necessary, therefore, to find some one else who, as deputy, would undertake the arduous task. "There were some few," says Hyde, "fit for the employment who were not willing to undertake it; and many who were willing to undertake it who were not fit." The powers of a deputy were liable to be eclipsed, if Albemarle ever thought fit to go to Ireland; and such a post was one which those of the highest rank scarcely cared to fill. Under these circumstances the choice fell upon Lord Robartes, who had rendered some good service in Cornwall, and who had the reputation of more than respectable abilities, of careful and plodding industry, and of an integrity which was at least above the moderate average standard of Charles's Court. But he had defects of character which were apparent to a judge so acute as the Chancellor, and these soon made themselves plain. Clarendon gives expression to them with all the verve and dexterity of analysis of which he was a past master. "Robartes," he tells us, "was a sullen, morose man, intolerably proud, and had some humours as inconvenient as small vices, which made him hard to live with." That he was esteemed to have Presbyterian leanings did not make him the more acceptable to the King, or to the Chancellor himself; but such suspicions he was able to allay. But a long habit of associating with men inferior to himself had crippled his intelligence, and made him suspicious and jealous of his position. When he found himself deputy to Monk, he recalled, with a grudge, the fact

that, coming from the same south-western corner of England, he was of superior birth, and he forgot the services which in Monk's case more than squared the balance. In his dealings with those who were to be associated with him in Irish administration, he showed the jealousy of a small-minded man, and ensconced himself behind the bulwark of reticence and inaccessibility. There could hardly have been a more unfit instrument for that dexterous manipulation which the tangled knot of Irish politics required than this narrow, pedantic, tactless peer. The Chancellor soon saw that endless petty bickering would be the result of continuing him in the post. His petty pride was offended by having to serve as deputy to Albemarle. He was ingenious in detecting legal difficulties, and wearied the patience of the Attorney-General by pointless criticisms even on the wording of his patent of appointment. He treated those Irishmen who were obliged to deal with him with a haughty superciliousness which exasperated them to fury. The King soon found that a morose gravity and a punctilious pride were the worst ingredients for an Irish governor. The only question was how to get rid of one who was too respectable to be contumeliously cast aside, but too much of a pedant to be entrusted with a delicate administrative operation. "They who conversed with him knew him to have many humours which were very intolerable; they who were but little acquainted with him took him to be a man of much knowledge, and called his morosity gravity." The Chancellor and Lord Southampton were commissioned by the King to confer about his transfer to another office, where his peculiarities might be less inconvenient. They were to arrange that he should be Privy Seal, and the precedence which that post would give him was to be a solace to his susceptible pride. The transaction had to be managed dexterously. They found him in a suspicious mood, but fortunately were able to

persuade him that the new appointment would enhance his dignity. He accepted the new post, and although his touchiness and pedantry as to trifles were still a source of trouble, they could lead to no such difficulty in the comparative obscurity of Privy Seal, as they would have involved in Ireland. The transfer was carried out with satisfaction to all concerned; and the fact is no small testimonial to the tact of the Chancellor and Lord Southampton.

One source of friction was gone in getting rid of Lord Robartes. But the tangled knot still remained, and after the restoration of the Crown and Church domains, and the reinstatement of such notable Royalists as Ormonde and Inchiquin, the greatest part of the problem still remained unsettled. The fiercest fight was that between claimants of different race and of different religion, all of whom inherited a tradition of bitter and irreconcilable hatred. On the one hand there were the native Irish, recommended to the King by that community, at least, in religious feeling, which his residence abroad had instilled into Charles, although there is no real evidence of the oft-repeated story of his having already become a Roman Catholic. Linked to the Royalist cause by a common detestation of Presbyterianism, the Roundheads, and the Cromwellian soldiery, and attracting not unnatural sympathy both from Charles and from Hyde by the oppressive cruelties which they had suffered, and by glaring instances of injustice perpetrated upon them, they could fairly assert their early loyalty, and could allege in excuse for subsequent defections the supreme law of self-preservation. On the other hand, there were the soldiers and Adventurers, fortified by the strong claim of possession; able to cover their former rebellion by the indubitable benefit which they conferred in abstaining from armed resistance to rebellion against Parliamentary rule, and behind whose new-found loyalty there always lurked a veiled threat of a

fresh resort to arms which might prove dangerous. The commissioners sent to compose matters found themselves suspected by all whose titles were insecure, and actively opposed by those whom they dispossessed. They were swayed by opposite factions, now to accept doubtful claims, and now to confirm existing settlements upon insufficient evidence of right. The examination of all claims was transferred to England; and Charles for a time seems to have interested himself deeply, and with edifying industry, in attempting to find a solution, and to have shown praiseworthy care in hearing and investigating all complaints. During these hearings the Chancellor must certainly have been an active and interested member of the council, and could not divest himself, much as he may have desired to do so, of participation in the decisions. Necessity drove the King and the Chancellor himself into a course which was often repugnant to them. In grave and well-considered words Hyde lays before us the paramount considerations of supreme expediency which forced the hands both of his master and of himself, and compelled them to accept a settlement which did nothing to redress Irish wrongs, and left, as the baneful alternative to a renewal of civil war, a legacy of bitter racial antagonism.

"It cannot be denied," he writes, "that if the King could have thought it safe and seasonable to have reviewed all that had been done, and taken those advantages upon former miscarriages and misapplications, as according to the strictness of that very law, he might have done, the whole foundation, upon which all the hopes rested of preserving that kingdom within the obedience to the Crown of England must have been shaken and even dissolved, with no small influence and impression upon the peace and quiet of England, itself. For the memory of the beginning of the rebellion in Ireland (how many other rebellions soever had followed as bad, or worse, in respect of the consequences that attended them)

was as fresh and as odious to the whole people of England, as it had been in the first year. And though no man durst avow so unchristian a wish as an extirpation of them (which they would have been very well contented with) yet no man dissembled his opinion that it was the only security the English could have in that kingdom, that the Irish should be kept so low, that they should have no power to hurt them." [1]

These words expressing the deliberate opinion of Hyde, upon a fateful crisis in history, are pregnant with tragedy. The memory of a great wrong never can be obliterated ; but dire necessity may leave no alternative but to shape political action on the basis of that legacy from civil strife. England and Scotland had redeemed their rebellion.

" But," thus writes Hyde, " the miserable Irish alone had no part in contributing to his Majesty's happiness ; nor had God suffered them to be the least instruments in bringing his good pleasure to pass, or to give any testimony of their repentance for the wickedness they had wrought or of their resolution to be better subjects for the future ; so that they seemed as a people left out by Providence, and exempted from any benefit from that blessed conjunction in his Majesty's restitution. And this disadvantage was improved towards them by their frequent manifestation of an inveterate animosity against the English nation and the English Government, which again was returned to them in an irreconcilable jealousy of all the English towards them." [2]

Some settlement must be reached—that it should be good or bad was of less importance than that it should be fixed. Commissioners were set to work. But either they were too closely interested themselves in the decisions to be reached, or, having no personal interest, they were slack in their attendance. Those on the spot were too apt to be partial ; others were sent from England, and their methods

[1] *Life*, ii. 44. [2] *Ibid.*, p. 47.

were rough and ready. The available land was squandered in lavish grants to courtiers, and amongst others Lady Castlemaine managed to secure an ample share. It was in vain that the Chancellor declined to pass such grants; the recipients found means to get them passed by the Courts in Ireland.

The best that could be made of a bad business was to hurry on some decision, before the means of even partially satisfying the most urgent claims were dissipated by the King's reckless prodigality.

Meanwhile the administration of Ireland, after the transference of Lord Robartes, was entrusted to three Lords Justices—Sir Maurice Eustace, the Irish Chancellor; Lord Broghill (created Lord Orrery); and Sir Charles Coote, created Earl of Montrath. The first was a worn-out old man. The second was a dexterous manager, who knew how to captivate friends and how to outwit enemies; the third was "proud, dull, and very avaricious." Both Orrery and Montrath had their own ends to serve, and were bitter enemies; and when Montrath died, as Hyde expresses it, "they who took the most dispassioned survey of all that had been done, and of what remained to be done, did conclude that nothing could reasonably produce a settlement, but the deputing one single person to exercise that government." The Duke of Albemarle had now reaped all the advantage that he could hope for from his post of titular Lord-Lieutenant. His own estate had been secured, and as an Irish landlord he desired a firm administration. He was not prepared to undertake the task himself, and made his suit to the King that the Duke of Ormonde should be sent in his place. To the mind of the King, this seemed to offer the best prospect of a settlement, and he and Albemarle together persuaded Ormonde to accept the charge before the Chancellor was consulted. To Hyde it seemed a plan

fraught with dangers and difficulties on every side. In such a case, he was, as he was himself aware, too much inclined to express his views with somewhat uncourtly directness. When the King asked for his opinion of Ormonde's appointment, he could find no more diplomatic answer than that "the King would do very ill in sending him, and the Duke would do much worse if he desired to go." Charles took the easiest course for one who wishes to push aside unpalatable advice: "the matter was decided, and there was nothing for it but to prepare instructions." Hyde was not to be turned aside; Ormonde, he urged, was needful to the King in London, and would be useless in Ireland. Hyde did not even take the trouble to make his objections palatable to Ormonde. The Duke, he said, had since his return from exile led a life of ease and indulgence, and was now unfit for the laborious task of Irish administration. With still less of courtier-like complaisance, Hyde urged that, however good the appointment might have been "when the Duke was full of reputation, and the King was more feared and reverenced than presumed upon," it was otherwise now when the Duke had withdrawn from business and "let himself fall to familiarities with all degrees of men," and when the King had been exposed to all manner of importunities, had received all men's addresses and made promises without deliberation, had become so desirous to satisfy all men that he was irresolute in all things. He must first fix his own resolutions, and then only could the Lord Lieutenant do him service, or save him from scorn and affronts.[1]

However sound the advice, Hyde's fashion of expressing it could scarcely be called conciliatory; and even the easy humour of the King must have found it hard to brook such plain speaking from his Minister. It was fortunate, how-

[1] *Life*, ii. 55.

ever, that Charles's sense of humour was sufficient to save his vanity from suffering under contradiction, except when his own personal ease was at stake. He might resent reflections on his behaviour to a mistress, but his pride was not wounded by being told that his statecraft was folly; it took at least a long course of such plain-speaking from his trusted Minister before his patience was exhausted. Ormonde, too, received from Hyde advice that was quite as candid.

"He would repent his rash resolution; he would not influence Irish affairs in Dublin as much as he could have done in London; his absence would give his enemies the opportunity of slander that they desired; he and the King suffered from the same infirmity in equal degree—'an unwillingness to deny any man what they could not but see was impossible to grant, and a desire to please everybody, which whosoever affected should please nobody.'"

Hyde's friends, as well as his master, had need to practise an almost stoical imperturbability of temper.

It gives us a key to Hyde's attitude towards Irish affairs that he breaks the chronological order of his narrative to tell the story to the end. It was a subject that vexed and wearied him, and in regard to which he was conscious only of work incompletely done; of business from which he vainly strove to hold aloof, and of a huddled settlement from which his soul revolted. He hurries on to the end of the whole transaction, which at last deprived him of his most trusted ally and his most cherished friend. Ireland stole away from him Ormonde, whose support had done so much to uphold him in the dangerous currents of the Restoration. It was four years and a half after the Restoration that, in the autumn of 1664, Ormonde crossed to Ireland. The clouds were already gathering about the Chancellor's course,

and the loss of his closest friend increased the gloom, and brought the threatening dangers nearer.

It was after Ormonde's entry upon the Lieutenancy that the third and final settlement of the Land Commissioners was arrived at. The latest Commissioners had allowed themselves to be swayed powerfully by the Irish interest, and had raised, in the same proportion, the antipathy of the English. Very weariness forced the combatants at length to a compromise. The soldiers and Adventurers consented to abate one-fourth of their claims; with this the most urgent of the Irish claims were appeased, and the baneful unrest was at last ended.

Clarendon closes the sorry story of the Irish settlement by a disclaimer of any share in Irish affairs, further than that which fell to him as a member of the inner Council. Perhaps his influence was greater than he is ready to admit; but Ireland certainly received no larger share of his attention than necessity forced upon him. He is careful to give us a succinct account of the one incident which involved him, almost against his will, in some sort of personal interest in Irish property.

In the early days of the Restoration, when the question as to the disputed settlements was only at its first stage, overtures had been made to Hyde, which it was fancied might earn from him some mercenary favour for those who might be the intermediaries. It was proposed that a special grant of land might be made to him, or that a sale might be effected in his favour on nominal terms, which would make it almost equal to a free gift. It was consistent with all his action in such matters that these overtures met with a peremptory refusal from Hyde. If he was to be of use in effecting a settlement, he must have no title of his own to bias his inclinations. Rather later, but when negotiations were still in their earlier stages, certain sums raised

upon Irish land were assigned for the King's use, "to be disposed of to those who had served him faithfully, and suffered in so doing." The grants were passed as a matter of official routine, without the knowledge of the Chancellor. About two years later, Orrery, who was an adept in the art of posing as the chosen instrument of convenient favours, wrote to the Chancellor informing him that certain sums were standing at his credit, and inquiring to whom they should be paid. Hyde had no doubt that a mistake had been committed, and asked Ormonde, as Lord Lieutenant, to inform him what the announcement meant. Orrery wrote again more explicitly, stating that £12,600 had been paid in to his use, and that another sum of the same amount would be received in the course of six months. "To whom," he asked again, "was the money to be paid?"

It was only after this second letter that the Lord Lieutenant's explanation arrived. The notification had its source, so it appeared, from Lord Orrery himself, who had urged upon Ormonde that a portion of the royal grant should be assigned to Hyde. The suggestion commended itself both to Ormonde and the King, and by the special instruction of the King, who knew Hyde's scruples and was resolved to overcome them, the royal signature was given through Hyde's good friend, Secretary Nicholas, and all knowledge of the matter was carefully kept from the intended recipient. Nicholas had now to account for it to Hyde, and he could only plead the strong injunction of secrecy that had been laid upon him by the King. The plot was an instance, it may be, of mistaken and ill-judged kindness; but not the strictest political purist of the day could have arraigned the grant, and it would have been churlish for an old and impoverished servant to have refused so gracious a favour from the King, few of whose lavish

grants had so much justification as this. It was granted with delicacy, and was accepted with gratitude, as cementing that bond of loyal affection which long years of faithful service had created.

At this juncture, as it happened, Bulstrode Whitelocke and Lord Lovelace [1] were involved in a dispute about some land in Wiltshire which Whitelocke had bought when his own former party was in the ascendant, and when Lovelace was hard pressed for money. The balance had now shifted, and Lovelace, as the price of giving confirmation to Whitelocke's title, was pressing for a sum more adequate to the value than that paid in Whitelocke's day of triumph, when the dominant purchaser could coerce the unwilling seller. It was expedient to end a dispute between two men who were now both in the interest of the King, and Hyde thought that the most convenient way of doing so was that he should become the purchaser of the land, which adjoined his own property in Wiltshire. Relying on the Irish windfall, he consented to do so, and thus became bound for a sum largely in excess of anything he received. Instead of a double payment of £12,600, he never received more than £6000 of the first instalment. Orrery's promises were more lavish than his performances; and the only result of Charles's kindly thought was to involve Hyde in a heavy debt and to give food for baseless suspicions of his venality. Personally, therefore, he had good ground to fear the gifts that came from Ireland. That country remained an unhappy battle-ground of racial and religious feud; its settlement had galled him by its many features of injustice; he saw its resources crippled by lavish grants to a host of unworthy recipients which he was powerless to prevent, and it had

[1] John, Lord Lovelace (1616–1670) was an ardent Royalist, and one of those Peers who signed the Declaration at Oxford on behalf of the King in 1642. Clarendon (*Hist. of Rebellion*, vii. 174) speaks of him as one "of whose good affections to his service the King had always assurance."

robbed him of that support which he might have had from his most faithful friend, the Duke of Ormonde. It is no wonder that he turns in disgust from the review of Irish affairs which had in it so little that could satisfy his conscience or his sense of political wisdom.

CHAPTER XIX

MARRIAGE TREATY AND RELIGIOUS SETTLEMENT

The two preceding chapters have anticipated the strict order of time in regard to Scotland and Ireland, where Clarendon's action was only incidental to his position as English Minister. We have now to turn back to the months that intervened between December, 1660, when the Convention Parliament was dissolved, and May, 1661, when the more legally constituted Parliament met for the first time. In the interval some events had occurred which stimulated the flow of the Royalist tide in the nation, and helped to imbue the general loyalty with something of arrogant intolerance; but other incidents had weakened the position by giving new stimulus to Court intrigues, and by quickening the animosity of rival factions. Clarendon found the tide occasionally too strong to control, and his difficulties encouraged those who were jealous of his power.

In January, London had been startled by the outbreak of a fanatical insurrection, which gives sufficient proof of the strangely hysterical state into which the nation had been driven by a series of bewilderingly rapid transformations, political and religious. It was the natural result of the sudden suppression of the strange freaks of religious fancy which were symptomatic of the age, and alike in its origin and in its consequences, it showed how prone public opinion was to perturbation. Its leader, one Venner, a vintner of good credit in the City, evidently believed himself

inspired by Divine revelation. His motto was "The sword of the Lord and of Gideon," and he called on all "to take arms to assist the Lord Jesus Christ." The outbreak was nothing but a frenzied burst of religious mania; but its effect showed how dangerous was the state of the nation of which this was a symptom. All London was thrown into wild alarm. Only those of strong nerves could make a stand against what was, with ludicrous exaggeration, represented to be a popular movement on a vast scale. The Lord Mayor won mighty renown for having the courage to summon a great body of adherents, and advance personally against the rioters, who were said to be murdering all whom they met. Wild rumours flew from the City to Whitehall; the guards were called out; Whitehall was put in a state of defence; and poor Pepys, whose combats were generally confined to the chastisement of page-boys and kitchen-wenches, found himself—"with no courage at all, but that I might not seem to be afraid"—obliged to carry with him sword and pistol, and make his way to the Exchange, to learn the extent of the rising, which was scarcely so terrible as had been reported. Pepys returned safely to his home, and that no worse result arose from his unwonted and warlike venturesomeness was no doubt due to the fact that he had been wise enough to put no powder in his pistols.

After all the alarm, the Lord Mayor found only thirty men to oppose the loyal bands whom he had summoned to his aid. But these thirty fought valiantly and desperately enough, and every man of them was either slain, or captured and reserved for speedy punishment. The little knot of fiery zealots did their best to make up in their fanatical enthusiasm what they lacked in numbers, and that the rising shook the confidence of the Government and quickened the pulse of timid loyalty throughout the country, only showed how sensitive were the nerves of the sorely

galled nation. None knew better than Hyde that there was much amiss in the temper of the people, and that quiet and settlement were essential to soothe this epidemic hysteria. Meantime—so intense had been the alarm—the disbanding of the King's Guards was countermanded, and Monk's regiment of Coldstreams was retained. It is curious to reflect that the occasion for the formation of the nucleus of the British standing army was the brief outbreak of a handful of frenzied men, stirred to momentary madness by a religious fanatic, and ready to go to death for the avenging of the saints. Already the seeming unanimity of loyalty was gone; those who were Royalists at heart found that they had still enemies to meet; and it was proved that the new Government could in no wise relax the vigilance of their defence of order, or presume upon the support of an undivided nation.

Before the new Parliament met in May, the Coronation of the King took place, on April 23rd, with all the splendour that copious expense could achieve in an age saturated with a love of florid display, and with what was doubtless a careful and politic anxiety to revive in their most authentic form all the ancient observances and ceremonies which had in the past attended the rite. Already the most prominent adherents of the King had been advanced in the peerage, and on the day before the Coronation ceremonies six Earls—amongst whom Clarendon was one—were invested with their new dignity with the ancient and stately ceremonial so long in abeyance. But even amid the rejoicings of the Coronation new seeds of dissension were laid in a soil only too fertile for their propagation. The Duke of York was deemed, by those who held to older fashions, to have assumed too much of that precedence which was accorded to Monsieur the brother of the King in the Court of France, but which had no warrant in the

usages of England; and the fact that he was allowed to appropriate a place in the procession for his own "Master of the Horse," and that the holder of the honoured place was a youthful member of the upstart family of the Jermyns, was enough to stir up much heartburning amongst the older Royalist nobility, and to engage the attention and compel the anxiety even of Clarendon himself. The Chancellor had to steer his course amidst a very hotbed of popular excitement, and of Court factions and intrigues, but thinly covered by a veneer of seemingly whole-hearted loyalty.

Before Parliament met, another project had been fully discussed and practically settled. This was the marriage of the King with the Portuguese Princess, Catherine of Braganza. It was an alliance which involved many dangers, and what were, at the best, but doubtful advantages. Clarendon had, at a later date, to bear the blame of an arrangement which brought no satisfaction either to the King or to the nation, and which eventually did much to check the tide of loyalty. But he is careful to tell us that the inception of the scheme did not come from him; that the first suggestion was not even made to him, and that he interfered in it no further than his relations to the King imperatively demanded. But he adds that had it been otherwise, he would have felt no reason to disavow, or be ashamed of, his action in promoting the marriage of the King to any suitable consort.

Such a project had, indeed, much to commend it, had Fate been kinder, and had not the position of European affairs been so tangled. Clarendon had long urged the propriety of the King's marriage. It was all the more his duty to do so now, when any delay in the matter might seem to promise the eventual succession to the Crown of the children of his own daughter, the Duchess of York. Clarendon had no ambition for such elevation, and he knew

well how any suspicion of such a scheme would expose him to the accusations of his enemies. He would best have liked that the King should choose a Protestant consort, but the only one who could be suggested was the daughter of the Dowager Princess of Orange, and to that match Charles was invincibly opposed. The Portuguese alliance offered certain advantages. It promised a counterpoise to the power of Spain (and, as such, it would unquestionably secure the friendliness of France), and thus seemed to offer help in maintaining a safe position in foreign relations, and preventing the probability of foreign war. For the stable settlement of affairs at home, no condition was more absolutely essential than the maintenance of peace abroad; and for this, if for no other reason, Clarendon was passionately determined to avoid any foreign complications. If an alliance with a Catholic Princess were necessary, none could apparently involve less danger than one which brought about a Portuguese rather than a Spanish connection.

Clarendon had no mind to cultivate an alliance with Spain, which must be purchased by such concessions as would have inflicted grave injury on England. The Spanish Ambassador, Batteville, had, at his very first audience, pressed for the surrender of Jamaica, which had been taken from Spain by the King's rebellious subjects. He claimed also that Dunkirk and Mardyke, which had been handed over to Cromwell in virtue of his treaty with France, should be restored to their rightful sovereign. These demands he made, seemingly as matters of form. They were points which need not be pressed, if England were prepared to make a treaty which would be advantageous to Spain, and if Portugal received no encouragement from England. If Clarendon disliked the Spanish alliance he disliked quite as much the methods of Court intrigue by which it was pressed. Batteville was astute enough to take a correct measure of

English courtiers. He conformed himself to the slipshod methods and the rollicking humour of Charles and his circle. He insinuated himself into the intimacy of the King's boon companions: availed himself of the easy access to the King, which Charles's nonchalance permitted, and knew how to suggest what might be useful to him as a diplomat, in the careless intercourse of the table, and amidst the jests of a carouse at Court. Bristol did his best to aid the Spanish diplomat. Charles's facile temper made him forget Bristol's double-dealing, and Bristol, having regained some of his favour, "had an excellent talent in spreading that gold-leaf very thin, that it might look much more than it was." [1] A whisper in the King's ear might do much to foster Spanish designs, and with them Bristol's influence. Clarendon knew well the dangers that success in that direction might involve.

Nor were solid attractions wanting in the Portuguese alliance. For national prosperity, there was no greater essential than an encouragement to commerce, in an age when commerce throughout Western Europe was making immense advances, in which England had already earned, and must secure, her share. If this country were to balance the growing naval power of the Dutch, and their increasing mercantile marine, she must strengthen her hold upon the ever extending trade in the Eastern and Western seas. Holland must always be more of a rival than an ally; and Spain was a power with which no permanent or favourable alliance was probable or desirable, except in so far as it might be a balance against the power of France. Portugal commanded a wider range of colonial trade, both in the East Indies and in Brazil, and it presently appeared, when definite proposals were laid before the King and his Ministers by the Portuguese Ambassador, that she was prepared to

[1] *Life*, i. 505.

pay highly for the privilege of an English alliance. A dowry of £500,000 was promised with the Portuguese Princess—no ineffective bait for one whose coffers were so ill-supplied as those of Charles. The port of Tangier, which could easily be made into an effective harbour and seemed likely to offer a command of the Mediterranean trade, was to be placed in the hands of England. Bombay was to be granted to her in the East Indies; and perhaps most important of all—the privilege of free trade to the Portuguese colonies in Brazil and the East Indies was to be accorded to her. An abundant return was thus to be reaped both by the Crown and by the nation, at once in an enhancement of naval supremacy and in an extension of commercial opportunities. It was only necessary to guard against the danger lest a Portuguese alliance might involve England in a war with Spain.

Charles was attracted by the offers, and all the more so when he received from Montague—now Earl of Sandwich—a favourable account of the value of Tangier. Portugal had given more generous aid to the Royalist cause in its extremity than either France or Spain, and it had incurred the vengeance of Cromwell by giving shelter in the Tagus to Prince Rupert's fleet when it was hard pressed by Cromwell's ships. Such an alliance seemed not unlikely to be well received by the nation.

Clarendon encouraged, rather than checked, the proposal, and this is all that can be said of his attitude. But after the preliminary steps had been taken, and engagements had already proceeded far with Portugal, he found that the whole project was threatened by a secret intrigue. Again that restless and versatile contriver, Bristol, had set himself to overturn the scheme. It is hard to decide what were his motives. In spite of his adoption of Roman Catholicism, Bristol's religious convictions were hardly of a kind

to dominate his policy; but he had linked his lot with that of the Catholics—he may perhaps have already suspected Charles's inclination to their faith—and he may well have thought that a Spanish alliance would confirm the influence which he hoped thus to acquire. It may be that he was angry only because he had not been taken into confidence at an earlier stage in the affair; such a motive is not to be set aside in the case of one in whose character personal vanity predominated so largely, and who could so little estimate the general tendency of national feeling. Be that as it may, Clarendon found that Bristol's influence was countermining the scheme, and that the King had been so far gained over as to contemplate the breach of an engagement to which his honour was already pledged, and which would have inflicted a galling wound on the pride of his expected allies. Already, it appeared, tempting offers had been conveyed to Charles of marriage with one or other of two Italian Princesses, whose dowry would be provided by the Spanish Court, and the choice of one of whom would have had its value enhanced by a close alliance with Spain. Even with one of more controlled temperament than Charles possessed, the element of personal qualifications might not unreasonably tell for a good deal in the selection of a wife. Bristol was commissioned to visit and report upon the ladies proposed for Charles's hand, and made no secret of the reason of his voyage to Italy. The Spanish ambassador spoke openly in disparagement of the person and the attractions of Catherine, and boasted that he had effectually stopped the presumption of the upstart Court of Braganza in attempting to bolster up its rebellion against the Spanish Crown by an English alliance.

Clarendon took his usual method in dealing with such a mixture of intrigue and arrogance. To the somewhat nauseous personal details which were furnished in

disparagement of the Portuguese Princess, he perhaps, as politician, gave but scant attention. He permitted Bristol to depart on his extraordinary mission, and addressed himself to the King with his customary plainness of speech. He exposed to him the braggart boasts of Bristol, whose vanity had not permitted him to keep even a secret of his own contriving. He desired him to remember the extent of his own engagement to Portugal, and how far his honour was involved. If arguments were to be found for withdrawing from the project, it would be well to consult on these with his Council. The choice of a consort was perhaps a matter somewhat too delicate for discussion at a Council Board. But Clarendon might, at least, suggest that the King of England could hardly with dignity submit his marriage to the judgment of the Court of Spain.

The Chancellor knew his master well. It was by appeals to his vanity and to his love of ease that Charles could best be moved. The plain reproaches of his Minister were irksome, and in the long run became unbearable to him, but they impressed his pliable spirit. He minimized the extent of the charge given to Bristol, and then consented to his recall. He found, or fancied that he found, that the portrait of Catherine belied the unflattering accounts he had received. His temper was irritated by the impudent threats of the Spanish ambassador, who was imperiously commanded to quit the Kingdom. Above all, the Ministers of France took steps to prevent that triumph to Spain which would have accrued from a breach of the alliance. La Bastide was sent with full credentials to deal personally with the Chancellor. The French King, he told him, was friendly to Portugal, although for the present his alliance with Spain prevented any overt assistance to the Braganza family. But he was ready to help the King of England with

financial aid, if Charles should himself, by private understanding, undertake such assistance. Meanwhile he thought that the King "could not bestow himself better in marriage than with the Infanta of Portugal." Further, hints were given that an understanding might be reached between the Crowns as to their relations to the States of Holland, and as to the steps to be taken against the dangers which the Dutch naval power threatened to both.

The matter proceeded no further than an interchange of friendly proposals; but there was one incident connected with it, of which Clarendon has given us a full account. Before the negotiations closed, La Bastide took the opportunity of a confidential interview with the Chancellor to broach to him a proposal which, to one of Hyde's character, was nothing but an insult. He was commissioned, La Bastide said, by Fouquet, the Finance Minister of France, to express his deep respect for Clarendon, and his sense of the trust and power he now enjoyed. But he understood how easily the Chancellor might, under present circumstances, be hard put to it to maintain his high position from scantiness of means, and he had therefore sent him a present, small indeed, but only as an earnest of as much, or more, to be paid him every year. He would have need of it to secure, by becoming generosity, the means of meeting the secret machinations of his enemies at Court. La Bastide concluded by showing him bills for £10,000, payable at sight.

However much such a proposal was in accordance with the political morality of the day, Clarendon did not hesitate to show his indignation, and his disgust that it should have been made to him. "If this correspondence must lead him to such a reproach," he said, "he would unwillingly enter upon it." La Bastide must let Monsieur Fouquet know "that the Chancellor of England could receive wages

only from his own master." Such an excess of scrupulosity could only appear, to one trained in the school to which La Bastide was accustomed, as merely assumed. He still pressed the absolute secrecy of the gift, until Clarendon broke off the interview in stern anger.

The sequel was what we might expect. The King and the Duke of York came to Clarendon before the angry fit was gone, and heard the story told with Hyde's usual plainness of indignant speech. "They both laughed at him, saying 'that the French did all their business that way;' and the King told him 'he was a fool,' implying 'that he should take his money.'" The Chancellor vainly sought to impress upon the King something of his own feeling of pride, and besought him "not to appear to his servants so unconcerned in things of that nature." Either the French King would believe that he took the money without his master's knowledge, and so look on him as a treacherous knave; or "that he received it with his Majesty's approbation, which must needs lessen his esteem of him, that he should permit his servants of the nearest trust to grow rich at the charge of another prince, who might the next day become his enemy."[1] The King could only smilingly reply "that few men were so scrupulous." There is something almost comical in the effort on the part of Clarendon to press upon the King that self-respect, which he had long since cast aside, and the place of which was supplied by a mask of cynicism. It was quite true that scruples such as those of Hyde were rare in his day, and formed no part of the usages of the Court of France. But Clarendon did not know that it would soon be unnecessary to go to France for an example of shameless venality. The time was not far distant when Charles, having got rid of his irksome Mentor, was himself to fill his own coffers by accepting a bribe more infamous

[1] *Life*, i. 523.

than that which he vainly tried to persuade his prouder servant not to reject with scorn and contempt.

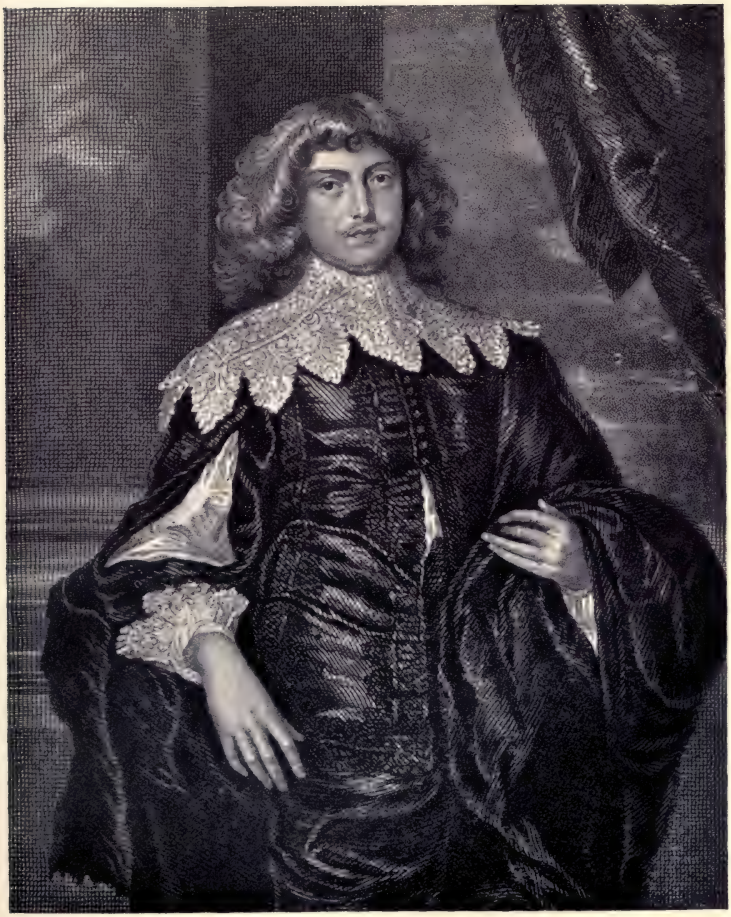
For good or ill, the project of the Portuguese alliance weathered the storm of intrigue directed against it at home and abroad. Without being its proposer, or the chief guide in the negotiations, Hyde did not refuse a joint responsibility for its arrangement. We shall afterwards see how little it realized his hopes; in what sordid wrangles it involved him; how unpopular it became; and how much it contributed to deepen the degradation of Charles's Court. But for the time the prospect seemed promising enough. The fact of the Princess's religion was, no doubt, a stumbling-block which might well have caused greater anxiety to Clarendon, and which might have fretted the prejudices of the English people. But here, as on many other occasions, he seems to have forced himself, against what to a later day must seem fairly strong evidence, to discredit any idea that action on the part of Charles might be prompted by an inclination to the Church of Rome. To that Church Clarendon was as invincibly opposed as was his first master, Charles the First. He knew the earnestness of the injunctions laid on his son, by that master whose memory he so deeply revered. It is impossible to believe that doubts and anxieties were not repeatedly roused in Clarendon's mind with regard to the relations of the present King to that Church. But he seems sternly to have fought against and repressed any such suspicions. Apparently, the realization of these suspicions would have ruined his faith in the honesty and good feeling of his master, and with almost exaggerated energy he repudiates any such belief. If he suspected any danger of the kind from the Portuguese alliance, he put it firmly aside. And it is certain that whatever ill accrued from that marriage, it was not from that cause. Catherine of Braganza remained throughout a

negligible quantity in English politics. Neither at Court, nor with any section of society, did she exercise any appreciable influence, either in promoting or retarding the acceptance in her adopted country of the tenets of her Church. Whatever the closeness of the King's relations to that Church, and whatever his determination to strain his prerogative in its favour, neither was influenced in the smallest degree by the religion of his wife. It is true that at a later day, the religion of the Queen, and the presence at Court of her Catholic attendants, enhanced the fury of an unthinking storm of anti-Catholic feeling. But it was only a small aggravation of an irrational outburst of religious prejudice.

The marriage treaty was arranged in time to be notified to Parliament when it met in May, 1661, and from that time the negotiations proceeded with all the customary diplomatic deliberation. The announcement was received with the same loyal acceptance as the other proposals of the Government, in an assembly much more markedly Royalist in feeling than even the Convention Parliament, which had carried out the first steps in the Restoration settlement. Its zeal might even have been deemed embarrassing, and Clarendon was chiefly urgent that a permanent settlement should be provided for, by confirming the Act of Indemnity and Oblivion, before the Royalists devised new means of reaping fresh spoils of conquest. Another Act which he pressed forward was that bringing back the bishops to the House of Lords. It was, to his mind, a guarantee for the restoration of the Church, which it had been the central aim of his late master, as it was his own, to accomplish. Whatever compromise might be made as to ceremonies and articles, Clarendon could not admit that his debt to the Church had been paid until she had been re-established in her rightful position in the State. The memory of those bitter days, when what he recognized as

the good work of the Long Parliament had been rudely marred by the subsequent excesses of the zealots, and when the constitution had been overturned by violence which posed as legislation, was too vividly impressed upon his mind to suffer him to rest until the prelates of the Church were placed on their former level with the temporal peers.

Here, again, he met with fractious opposition from Bristol. It is difficult to find a consistent clue to all the windings of policy devised by that mercurial brain, and to guess at the objects which inspired him. The Bill was easily passed by the House of Commons, where some opposition might have been expected. In the House of Lords its passage was less easy. Those peers, who had in the old days assented to the exclusion, were only too ready to have their former vote forgotten, and raised no voice against the Bill. It was Bristol who, to secure the support of the Catholics, put himself forward as its opponent, and contrived to impress the King with the conviction that the restoration of the bishops to the House of Lords would render impossible any Bill for modifying the penal laws against the Roman Catholics. The progress of the Bill was slow, and it was only on inquiring into the cause of this, that Clarendon found that Bristol had succeeded in conveying the idea that the King did not wish it to pass. With his usual blunt directness Clarendon asked the King for an explanation, and then heard of Bristol's machinations. His reply was prompt. He regretted that the King had been prevailed upon to obstruct a Bill on which he knew his Majesty's heart was so much set. If the reason for such obstruction were known, it would be fatal to all Roman Catholic hopes, "to which his Majesty knew that Hyde was no enemy." These last words were an intimation, as plain as could be given, that Hyde might easily be converted into an enemy to their hopes. Charles took his lesson



GEORGE DIGBY, SECOND EARL OF BRISTOL.

(From the original by Sir Anthony Vandyke, in the collection of Earl Spencer.)

submissively, and orders were given that the Bill should pass. Bristol attempted to bluster, and threatened "that if the Bill were passed that day he would speak against it." "To which," adds Hyde, "the Chancellor gave him an answer that did not please him; and the Bill was passed that day." Clarendon's methods could compel the consent of the King, and could silence the arrogance or the persistency of fractious opponents. They were scarcely fitted to conciliate either.

Parliament had been compliant, and had passed at least two Acts which Clarendon deemed imperatively urgent. It was prorogued, after a short session, on July 30th, to meet again on November 20th. There remained still to be dealt with what were perhaps the most difficult problems of all, the questions of compromise as to the ceremonies and the doctrines of the Church, of the relation between the Nonconformists and the orthodox Churchmen, and of the degree of toleration that might be allowed to divergent forms of belief. These were three absolutely distinct branches of the religious controversy, and to confuse them leads only to prejudice and error. Clarendon had seen enough of the temper of the Parliament to perceive that time was necessary to ripen these questions for a settlement, and that the process would go on more smoothly during a recess than in the heated atmosphere of Parliamentary discussion. The discussions at the Savoy, the negotiations between the leading Nonconformists and the bishops, and the formulating of proposals on either side, had represented one phase of the discussions, and had led to little result. The matter was now one in which the Crown and its advisers must initiate a policy, and do their best to smooth its passage during the next session of Parliament. It could not be indefinitely delayed. Laxity, if too long tolerated, from however good a motive, quickly passes into anarchy.

In this matter it was inevitable that the leading part in framing a policy should fall to Clarendon. Of the old friends who would have been his chief advisers and guides in this work, many had passed away. But amongst the bishops three especially remained who were associated with old memories, and linked to him by mutual sympathy and respect. These were Brian Duppa, the former tutor of Charles II., lately Bishop of Salisbury, and now of Winchester; George Morley, now Bishop of Worcester, and soon after, successor of Duppa at Winchester; and Gilbert Sheldon at first Bishop of London, and subsequently Archbishop of Canterbury on the death of Juxon, in 1663. Juxon's claims to the Primacy were pre-eminent; he had appeared with the Martyr-King in that memorable scene on the scaffold at Whitehall, and none other than he could fill the Archiepiscopal chair, which had been vacant since Laud had preceded his master in his death upon Tower Hill. But Juxon's tenure of the office was little more than nominal, and, even during his lifetime, Sheldon was the foremost representative of the Church.

Duppa, the Bishop of Winchester, had been the man closest in the confidence of Laud, and had been the chief agent in carrying out his reforms in the University of Oxford. This must of itself have been sufficient to earn for him the warm sympathy of Clarendon, and his subsequent career had confirmed those early ties. To Clarendon, he was not only the trusted friend of his early patron, Laud, but the man to whom his royal master had committed, in solemn words, the religious education of his son; and that duty Duppa had carried out with an unswerving devotion, with however small success. His own personal character, the gentleness of his temper, and his saintly life, had strengthened the respect which was felt for him by all loyal Churchmen, and during the short time that he

survived the Restoration, he had a deserved influence on the counsels that directed the policy of the Church.

George Morley was another of the old fraternity that had gathered at Great Tew, under the hospitable roof, and in the genial company, of Hyde's early and most cherished friend, Lord Falkland. Morley's scholarship, his social gifts, his ready wit, and his unfailing tact, had secured for him a prominent place amongst that goodly fellowship. He followed a line of his own in Church politics, and in early days was not pliable enough always to win the approval and the confidence of Laud. His reply, when bored by an inconvenient questioner as to what the Arminians "held,"—"that they held all the best preferments in England,"—was pointed enough to spread quickly, and the sarcasm it implied was not agreeable to Laud. But Morley was none the less a loyal son of the Church, and gave abundant evidence of his loyalty to the good cause. He had been one of the Chaplains of Charles I., remained with him throughout the days of trouble and danger to the end, and had been an exile from his master's death to the Restoration. In Morley, Clarendon could place the trust due to an old friend, a loyal Churchman, and a man of fearless character, and of ripe judgment. Against his uprightness of life no insinuation could be made.

Gilbert Sheldon was a man of a different type from either of these two. While a stout defender of the rights of the Church, he, like Morley, had not always seen eye to eye with Laud. But he and Hyde were in closest sympathy. They had lived together at All Souls when Hyde was present at Oxford during the Civil War, and when the burden of directing the affairs of the King had rested chiefly upon him. Sheldon, in later days, had manfully resisted the encroachments of the Parliamentary Commissioners on the University, and upon All Souls, of which he was Warden; and it

was only by military violence that he was expelled from his charge, under the order of these Commissioners. He had then retired to the country, and continued during the Commonwealth to lead a quiet life, in which he spent his time and his own resources in assisting the loyal adherents of the King. Just before the Restoration, the Warden appointed by the Protector had died; and Sheldon was quietly restored to his former post, at the moment when the political world was occupied with the still doubtful struggle between the contending factions. A few months later he was called to play a leading part, as Bishop of London, in the critical negotiations for the settlement of the Church. Sheldon was a new type of the ecclesiastical statesman.

He had thrown off the habits of the student for those of the administrator, and one may add, of the politician. Sound and sincere Churchman as he was, his religion was that of the man of the world, suspicious of fanaticism, more earnest in inculcating an upright life than in a show of enthusiastic fervour, regular in his religious duties, but preferring a religion which displayed itself in the cheerful activity of a regular life, rather than in any overstrained attention to devotional routine. It was only natural that his enemies should charge him with being worldly-minded, and should insinuate that with him religion was only an instrument of government, and an element in policy. It need not lessen our respect for him that his religious faith showed itself more in lavish charity, and in a cheerful energy, than in the strict pursuit of the conventional routine of religious exercises. He could be a stern moralist when necessary, and he did not scruple to rebuke the King for his licentious life, and even, as Swift tells us, refused to him the Sacrament on that account. If such a man attracts to himself little of a halo of sanctity, he perhaps compensates

for this by the manliness of an upright life and conduct.[1] In his balanced judgment, in his unswerving honesty, and in his absolute uprightness of purpose, Hyde found just that help which was most useful at this juncture; and that both he and Sheldon suffered from some testiness of temper was no hindrance to their friendship.

When Parliament resumed in November, 1661, its first business was to pass certain acts for restoring the power of the Crown. The Solemn League and Covenant was pronounced illegal, and the Acts erecting the High Court of Justice for the trial of the King, and for establishing the Commonwealth, were contumeliously annulled. The power of Militia was declared to rest solely in the King, and it was enacted that no legislative power resided in Parliament without the King. These and like Acts were passed without discussion, and amounted to little more than expressions of the dominant loyalist feeling. The first step in restoring the power of the Church was the Corporation Act, which enacted that every corporation official should take an oath against the Covenant, and against the traitorous doctrine that arms might, by the King's authority, be levied against his person, and imposing upon every such official to be elected in future the obligation to take the Sacrament according to the rites of the Church of England. The supremacy of the Church was vindicated. Whether wise or not as a platform on which English politics should rest—and as to this doubts are no doubt permissible—this Test Act was the expression of the convinced resolution of the nation at the time. The more difficult question remained for

[1] We need give no attention to the scandalous and baseless gossip as to Sheldon's licentiousness which Pepys gathered from the irresponsible tittle-tattle of the coffee-house, and entrusts to the confidential pages of a diary which was never intended for publication. If we enjoy and profit by the vivid pictures of the day which his memoirs give us, we ought at the same time to feel ourselves bound to discredit the occasional thoughtless gossip about characters which stand too unassailable to be smudged by the mischievous sallies of Pepys's pen.

decision: how should the basis of the Church be arranged, and to what extent was it to be made more comprehensive?

Since the end of the Savoy Conference, the strife between the adherents of the Church and the Nonconformists had been growing in intensity. Both sides were exasperated by the uncertainty, and both were furious against what they believed to be the exaggerated claims of their opponents. The King's pliant humour had permitted to the various Dissenters an easy access to his person, and he was only too prone to give rise to expectations which were bound to be disappointed, and to unwary boasts on the part of the Nonconformists, which stimulated the Churchmen to an unyielding temper. The Bishops had been engaged during the vacation in revising the Book of Common Prayer, and sharp division of opinion had arisen amongst them—a division in regard to which Clarendon held strong views. Ought an attempt to be made to meet the views of the Nonconformists by modification of the Liturgy—or was it best to put a peremptory stop to agitation and discussion by restoring the ritual and the usages of the Church unchanged, so that the historic weight of continuity should be added to the authority of the law?

"Some of the bishops," says Clarendon, "who had greatest experience, and were in truth wise men," adhered to the latter view. "Others, equally grave, of great learning and unblemished reputation," pressed for alterations and additions.[1] He desired to hold the balance even between these opposite opinions. But his own judgment was decided.

"The truth is," he adds, "that what show of reason so ever and appearance of charity the latter opinion seemed to carry with it, the former advice was the more prudent, and would have prevented many inconveniences which ensued."

[1] *Life*, ii. 119.

"It is," he proceeds, "an unhappy policy, and always unhappily applied, to imagine that that classes of men can be recovered and reconciled by partial concessions, or granting less than they demand. And if all were granted they would have more to ask. Their faction is their religion; nor are those combinations ever entered into upon real and substantial motives of conscience, how erroneous so ever, but consist of many glutinous materials, of will, and humour, and folly, and knavery, and malice, and ambition, which make men cling inseparably together till they have satisfaction in all their pretences, or till they are absolutely broken and subdued, which may always be more easily done than the other." [1]

Clarendon recognized, as clearly as did Swift a generation later, that dissent was the essential motive of dissenters, and that all concessions would be with them but an incitement to new divergences. He remembered the case of the Scottish liturgy, in which changes were introduced in order to meet the desire for a distinctive liturgy, and were afterwards resented as departures from the established order, which might otherwise have been peaceably accepted. Changes were now sought only that they might be the starting-point for further change. Meanwhile the Nonconformists inveighed with new bitterness against the old liturgy, and their angry invective provoked the House of Commons to greater impatience at the delay in its restoration. Clarendon recognized the old and ever-present fact that it was easier to preserve an old form, with all its possible defects, than to devise a new one with the view of reconciling irreconcilable divergences. He had to remember also that besides the Presbyterians there was the strong phalanx of the Independents, who would rather see episcopacy flourish than that the Presbyterians should govern.

Clarendon was not unwilling that a calm and rational spirit of concession should prevail, and that non-essential

[1] *Ibid.*, p. 121.

usages should be modified to meet conscientious scruples. In the abstract this ought to have been possible; but as things stood it was a hopeless ideal. He had to take account of the angry exasperation of temper that prevailed; and for the general weal he felt that some settlement, however peremptory, was essential. However unwillingly, he was compelled to decide for the drastic exercise of authority which might, once for all, compose the strife and produce a settlement. Expedition was of the first importance in the business.

It was in this spirit that the speech of the King to Parliament was framed. He had hoped, said the King, that the composing of differences in regard to non-essentials might have already been obtained. He was grieved at the delay. The Book of Common Prayer was now to be presented to him by Convocation. It would thereafter be laid before the House of Lords; and upon that foundation he trusted that an Act of Uniformity might be based.

As approved by Convocation, with certain alterations which rather strengthened than diminished the force of the ecclesiastical authority, the Book of Common Prayer was presented to the House of Lords. The Earl of Northumberland, whose Presbyterian leanings were pronounced, suggested that no change whatever should be made, and that the Act of Uniformity of Elizabeth's reign should once more be the authority for its observance. But the time for that was too late. Convocation had already done its work, and that work could not be disregarded. The legal authority had given its pronouncement; it remained only to say how that pronouncement should be enforced. In this spirit the House of Lords entered upon the discussion of the Bill of Uniformity.

The first question of importance was the imposition of episcopal ordination as a necessary condition of the tenure

of any ecclesiastical office. That was decided in the affirmative; and the requisition of *assent* as well as *consent* to all contained in the Book of Common Prayer was carried against the resistance of those who, on behalf of the Nonconformists, argued that "assent" implied a more complete approbation than mere "consent." When the Bill had passed the House of Lords and was sent to the Commons, it soon appeared that the Church party there was determined to increase its severity. "Every man," says Clarendon, "according to his passion, thought of adding something to it that might make it more grievous to somebody whom he did not love." However earnest was Clarendon's loyalty to the Church, these words give evidence enough of the vexation of the Statesman at the unmeasured bitterness of ecclesiastical partizanship.

A new and rigid subscription, abjuring the lawfulness of resistance and the Solemn League and Covenant, was imposed upon every holder of a benefice, or of an office in a University. This created bitter opposition when the Bill was sent back to the Lords, and the discussion mainly turned upon the express repudiation of the Covenant, to which many laymen had already sworn. These, while they consented to its being laid aside for the future, were by no means ready to repudiate all the principles which it embodied. The Covenant still represented the charter of Presbyterianism, and to inflict a needless insult upon tenets conscientiously held by many who had given powerful aid towards the King's restoration, seemed a needless perpetuation of bitter memories. But the Lords could not refuse their assent, and this new instrument of exclusion was added to the Bill substantially in the form desired by the ultra-Royalists of the House of Commons.

In this form the Bill received the royal assent on the day when Parliament was adjourned, May 19th. No long delay was to occur before the axe of authority fell, and the penalty

of any divergence from the uniform discipline of the Church was to take effect forthwith. On August 24th, St. Bartholomew's Day—of evil omen—all incumbents who declined to accept and conform to the whole contents of the Book of Common Prayer were, *ipso facto*, with no further legal process, to be deprived of their benefices, and the patrons were to present others in their place.

Clarendon was too sober in his judgment, and had too much of the statesman in his composition, to welcome the rigid terms which the triumphant Churchmen were determined to exact. He was not one of those who thought a victory was confirmed by an arrogant disregard of the claims of the vanquished. Had he been able to shape the terms of the Act according to his own ideas of policy and prudence, he would undoubtedly have imposed checks upon the ambition of the fiery spirits of his party. But we must remember his position and his sympathies. The double object of all his long struggles had been to establish in all its dignity the constitutional monarchy, and to restore the Church to its rights and privileges. It was not for him to fight too hard against the full assertion of these rights. We must remember, too, that his own inclination towards moderation came from policy and prudence, and not from any sympathy with the vanquished, or any conviction that the measure meted out to them was in any whit more severe than that which they had exacted in their day of triumph, and would readily have reinforced were it again in their power to do so. Above all, Clarendon saw that in the hard task which lay before him in re-establishing a settled Government, the first essential was the ending of weary struggles, and the settling of doubtful contentions. Any settlement was better than perpetual controversy. It was a smaller matter to adjust the balance according to an ideal of just and politic moderation, than to comply with the imperious maxim, "that it is for the

advantage of the State that there be an end of litigation."

That there should be an outburst of anger from those who believed themselves to be martyrs was only to be expected. The Declaration of Breda, it was said, had been flagrantly violated. The answer was perfectly easy. The King had referred the religious settlement to Parliament, and had promised that meanwhile there should be no interference with liberty of conscience. It is noteworthy that Clarendon rests the case upon this plea—that the Crown must act subject to a Parliamentary decision. So far as it goes it is an adequate defence. But there remains the far stronger argument that liberty of conscience was a very different thing from a pledge that those who refused to accept the principles of the Church should have a right to hold her benefices and dictate her policy. That would have meant, not toleration of, but surrender to, the divergent forces.

But the outburst of anger on the part of a defeated faction had serious effects on the action of Charles II. Now, as often before, his Chancellor had to lament that "he was too irresolute, and apt to be shaken in those counsels which, with the greatest deliberation, he had concluded." Concessions might be right or wrong; but once a policy was decided, concessions wrung from the weakness of a vacillating and indolent nature were fatal. Anything that love of ease did not accomplish, the flattery of the defeated Nonconformists achieved. The King was their only hope; in his mercy they looked for a recompense for that loyalty which was none the less sincere because they shrank from straining their consciences by compliance with minute points of order and of discipline. At least, let three months pass before the blow fell that was to strip them of their livelihood and separate them from their flocks. Such an act of mercy would vindicate the royal prerogative.

Whether the King "thought it would do them no good," in other words, that he was giving a worthless concession, or that he thought the delay "no prejudice to the Church," or, as was more likely, that it would rid him of painful importunity, the desired promise was given. That it proceeded from any inclination to the Roman Catholic faith, and any hope that, by its means, easier terms might be obtained for that faith, was a supposition that Clarendon would have deemed derogatory to the King's honesty. Clarendon would gladly have seen terms more merciful granted by the Act of Uniformity. But once the Bill was passed he saw how fatal vacillation was, and would fain have persuaded his master against it. But the promise had been given; and once again he had to remind that master that it was for his honour that a promise given should be redeemed. Such a position was no unusual experience to any one who served Charles II. "It was no new thing to the Chancellor to be reproached for opposing the resolving to do such or such a thing, and then to be reproached again for pursuing the resolution."

A new conference was hastily summoned at Hampton Court. Archbishop Juxon, Sheldon and Duppa were to represent the Church, while the Chancellor, Monk, and Ormonde, with the Secretaries Nicholas and Morrice, were there as lay politicians, and the Chief Justice Bridgeman, with the Attorney General, were to advise as to the law. The Bishops did not conceal their vexation, and resolutely demanded "to be excused for not conniving at any breach of the law." Clarendon attempted to maintain the pledge given by the King, as but a small matter, which could not harm the Church. But the opinion of the lawyers was clear and decided. The King had no power to suspend the law, nor to interfere with the rights of patrons. Once more that vacillating temper yielded. The poor fragment of the royal honour which Clarendon would fain have saved had to be

abandoned. The Church had to resent a threatened danger; the Nonconformists were embittered by the overclouding of those hopes on which they had been taught to rely. The only effect of Clarendon's enforced interference was to involve him in the hatred of the dissenters, and in the suspicions of the Bishops and the Churchmen.

The blow fell on St. Bartholomew's Day; and on August 24th the Church saw her full triumph, when the nonconforming ministers, to the number, it was said, of some two thousand, were ejected from their livings.[1] The triumph was bought at the price of establishing a solid, permanent, and increasing body of irreconcilable foes. The Church was entrenched in a position rendered impregnable by law, which secured her even against the power of the Crown. But the forces of nonconformity were consolidated, and gradually gathered to themselves a mass of political adherents, and equipped themselves with a whole armoury of political weapons. The Act of Uniformity did much more than settle the terms between the Church and Nonconformity. It shaped the course of the two parties which, gradually diverging farther and farther, were to divide the nation into two camps.

Charles still sought to secure his own ease by efforts after conciliation—some of them more questionable in law, and more insidious in their motives, even than his ill-considered promises to the Nonconformist ministers. To what lengths his own Roman Catholic sympathies went it is difficult to say. But there were many influences at Court which were working for the abandonment of the penal laws against the Catholics. Bristol was restless in this matter, to which personal ambition and his growing jealousy of Clarendon stimulated him, much more than any religious zeal.

[1] The number was variously reckoned; a more moderate computation was 1200. Mr. Bates's careful calculations (*Declaration of Indulgence*, Appendix II.) give 450 as the number of ministers ejected between May, 1660, and August, 1662, and 1800 as ejected on the latter date.

Concessions granted by royal prerogative would mean new force for that prerogative; it would bring with it the increase of personal influence at the expense of the law; it seemed to promise the conciliation of new adherents; and it certainly involved the weakening of the orthodox Churchman as well as the Nonconformist. Before the end of this year, 1662, Charles issued a Declaration, purporting to dispense with the more severe laws against the Roman Catholics. It was contrived by a little clique of courtiers opposed to Clarendon, and of their gradual rise to influence we shall presently see more. It was intended as a means of consolidating their hold upon the King, and of increasing the number of their own adherents. It soon became clear that the Declaration assumed a dispensing power for the royal prerogative, which the nation would repudiate, and which even the House of Commons, with all its effusive loyalty, would not confirm. In that Declaration, published on December 6th, the King expressly confirmed the Act of Uniformity and stated his own intention of maintaining it. He defended himself against the charge that in that Act he had violated the Declaration of Breda. It was intended to provide for the discipline and government of the Church; but there still remained for consideration what concessions should be made for tender consciences in view of the severe penal laws; and he announced that he would ask the concurrence of Parliament to an Act which would allow him "to exercise with a more universal satisfaction that power of dispensing which he conceived to be inherent in him." But the Declaration was careful to add that no tightening of the most severe of the penal laws was to be construed as an intention of permitting equal toleration to all religions.

Clarendon was laid aside by illness when this Declaration was concocted and published, and although those who planned it endeavoured to make out that he had been an

assenting party, his own words give a direct denial to this.

When, in the spring of 1663, Charles attempted to give legislative effect to this Declaration by a Bill introduced by Lord Robartes and Lord Ashley into the House of Lords, he very quickly found out that the temper of the nation was in no compliant mood, and that there were marked limits to the submissive loyalty of the Commons. That House was not patient enough to wait for the Bill to be sent to it. A committee was at once appointed, and pronounced in no measured terms against any such scheme. It was inconsistent with the laws of England; it would endanger the peace of the kingdom; it would expose the King to the restless importunity of every sect; and it would "establish schism by law." The House of Lords acted in the same temper. Clarendon was joined in his opposition by Southampton and the Bishops, who thus fulfilled the part which Bristol had prophesied for them, of stalwart opponents of Catholic concessions. The Chancellor would not have been unwilling to see some sort of toleration. But his duty and his policy in this matter were clear. To have proceeded with the Bill would have strained to breaking point the loyalty of the Commons and of the nation. Toleration, to have any good effect, must be the voluntary work of Parliament, and not the contrivance of a Court clique. But Clarendon was under no mistake as to the odium he incurred with that clique, or as to the irritation which his conduct must arouse in the mind of the King, his master.

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CHAPTER XX

DOMESTIC DISSENSION AND FOREIGN COMPLICATIONS

The difficulties with which Clarendon had to deal in settling the affairs of the Church were, in essence, inevitable. Each side was struggling for very life. They had, to inspire them, not only profoundly hostile convictions, but the memory of years of angry strife and alternate persecution. But these difficulties were aggravated by the intrigues at Court, by the shiftless vacillation of the King, and by the underlying suspicion, which perhaps haunted Clarendon more than he admitted to himself with respect to the King, that concession might pave the way for indulgence to the Roman Catholics, to which the nation at large was profoundly opposed. His position was complicated by the perpetual bickerings of selfish factions, and by ignoble broils within the palace, in which he was compelled to interfere.

It was in June, 1661, that the marriage treaty was signed. As might have been expected, long delays supervened. Lord Sandwich was despatched with a fleet to take over Tangier, and on his return voyage to escort the Princess to England. But that was a matter which did not proceed without interruption. There was a considerable body of opinion in Portugal which regarded with profound dislike the abandonment of a position so important. The Queen-Mother of Portugal was anxious to implement her agreement, but, in order to do so, she had to dispatch a Governor who was pledged to carry out the evacuation. Only a few days

before Sandwich arrived, that Governor suffered defeat at the hands of the Moors, and was placed in a position of serious danger. The arrival of Sandwich was timely. He was able to secure the place against the attacks of the Moors, and to escort the Portuguese troops back to their own country, where they were the objects of popular indignation. All this took time; and it was not till March, 1662, that Sandwich arrived at Lisbon, to escort the Princess Catherine to England, along with the stipulated dowry of £500,000. The Queen-Mother of Portugal was anxious, in this respect also, to meet the terms of the treaty; but it was not easy for her to do so. The Portuguese Court could raise only a moiety of the dowry, and even that consisted in large part of merchandise and jewels of doubtful value. There were difficulties in handing over Bombay; and the further conditions—as to free rights of trading in the East Indies and Brazil—could only slowly be made effectual. Those who had intrigued against the marriage found in these delays just the opportunity they desired. The reports which reached England were not all favourable to the new Queen; and the alliance was by no means so popular as it had been a year before. All this told against Clarendon, to whom was imputed a far greater responsibility for the arrangement than was actually his, and who had been forced to support it, in its later stages, largely in order to counteract the intrigues of Bristol and the Spanish ambassador.

It was on May 20th, 1662, that the Princess arrived at Portsmouth, where the King met her, and where the marriage ceremony took place. His first impression seems to have been fairly good, if we are to believe that a bridegroom would write full confidences to his Chancellor.

"If I have any skill in physiognomy, which I think I have," he writes to Clarendon, "she must be as good a woman as ever was born." "I cannot easily tell you," he writes

again, "how happy I think myself; I must be the worst man living (which I think I am not) if I be not a good husband." "Never two humours," he adds, "were better fitted together than ours are."

Unfortunately Charles's experiences had scarcely made him a judge of a good woman, and his superficial good humour was but a flimsy foundation for married happiness.

The royal couple came to Hampton Court, with happy omen, on May 29th, the King's birthday, and the anniversary of his Restoration. The Court of England, however, was scarcely a scene likely to be congenial to one who had lived a sequestered life, amidst strictly religious surroundings, and in the formal routine of elaborate ceremonial; nor was Charles, by character, or by the experiences through which he had passed, disposed to arrange his life according to the tastes of the devout bride whom policy had selected for him. But Clarendon was prepared to hope much from the King's natural good nature and kindliness; and, tempestuous as his life had hitherto been, the Chancellor strove to do his duty, with more of frankness, perhaps, than of tact, by reminding his master "of the infinite obligations he had to God, and that He expected another kind of return from him, in purity of mind and integrity of life." Charles listened to these admonitions with a patience that was not altogether assumed, and seems to have been not unwilling to find merits in his bride. But a bridegroom that has to be schooled to his duty is hardly a promising husband. Unfortunately the lesson of his Chancellor was soon forgotten. There were not wanting those who found it to their advantage to countermine Clarendon's efforts. At first things looked not unpromising for the newly married pair. The Queen had "beauty and wit enough to make herself very agreeable to him"—such are Clarendon's, perhaps too roseate, words. The King's resolutions were good, and he seems to have promised

himself, if not a union of ardent affection, at least the satisfaction of an innocent and fairly happy married life.

But selfish designs and untoward circumstances soon dispelled such slender hopes as Clarendon persuaded himself to form. The licentiousness of the Court had already gone too far. The King's boon companions were men who founded their own hopes on breaking down any good resolutions that their prince might form, and in bending his facile character to their own mould. Religion was with them nothing else than an easy object of ribald jest and ridicule; and virtue nothing but a fantastic restraint upon the natural freedom of emancipated libertines. They could breathe only in the atmosphere of degraded and corrupt vice; and it was by deliberately flouting all the curbs of decency that they could best undermine the Chancellor's power. The spur of ambition and the greed for gain both urged them along the path towards which their craving for licentiousness also pointed. A licentious Court would be that in which money would be most freely squandered, and where sordid profits would be most plentiful. The more the moral lessons of Clarendon were set aside, the more surely would his authority be weakened, and his company become irksome to the King; the more open would be the way for the baser crew to achieve influence and wealth. Charles's mind was a soil on which such seeds could easily be sown, and were like to yield an ample crop.

All this found powerful help from the lack of tact and perspicacity amongst the numerous company whom the Queen had brought as her companions. They were "the most improper," says Clarendon, "to promote that conformity in the Queen that was necessary for her condition of future happiness." "Conformity," on the Queen's part, is a word which, in all the circumstances, has rather an ugly sound; and the art of tactful management of the ladies of Court was

not perhaps one in which Clarendon possessed such mastery as qualified him for the office of critic. But at least he saw the flagrant faults in these Portuguese duennas. The women were "old and ugly and proud, incapable of any conversation with persons of quality and a liberal education." It was their avowed object to perpetuate their own influence with the Queen, and to prevent her from any conformity either with the fashions or the language of England. They fancied that by rigid adherence to the antique usages of their Court they would compel the English aristocracy to adopt their manners. By their advice the Queen would not even wear the English dresses which the King had provided for his bride; and she received the ladies whom he placed in attendance on her without grace or cordiality. This was precisely the conduct that made the work of the profligates easy, that irritated the temper of the King, and that undermined the work of Clarendon.

There was one figure at Court whose presence planted a deep seed of resentment between Charles and his Queen. Lady Castlemaine had hitherto been the prime favourite in the King's seraglio. She was none of the comic actresses or flower girls from Covent Garden, whose lavishly distributed favours had won the fancy of the King, or made him the complacent follower of their former lovers. Barbara Villiers could rank high amongst the ladies of the aristocracy, as the daughter of Lord Grandison, a Royalist of unblemished reputation and lofty lineage, who had met his death in arms for the King's father, and who had been one of Clarendon's most cherished friends. Even the callous conscience of the King could not set aside the wrong his passion had done to her and her husband, Mr. Palmer, who, to his honour, felt the title of Lord Castlemaine, conferred upon him as the price of infamy, to be an insult rather than a distinction, and, as long as he could, declined to bear that name. It was an

Irish earldom that was granted as the price of his wife's degradation, that being chosen because it was passed under the Irish Privy Seal, and so avoided the necessity of consulting the English Chancellor. Charles felt—and perhaps rightly felt—that to a mistress of that rank, and to her family, he must make some amends; and he seems honestly to have intended—however we may guess that his resolution would soon have yielded to his passion—to have secured for her a dignified position at Court, while putting an end to his own guilty intimacy with her. It was in this spirit that he presented "the Lady," as she was generally called, to the Queen, whose lady-in-waiting he intended that she should become. The Queen had already learned the story of the intrigue, and had declared that she would never suffer the mistress's presence at her Court: and as soon as she discovered the name of the newly presented lady, she showed her sense of the indignity by bursting into tears, and by retiring from the room. The racy scandal of a royal disagreement was thus published to the Court, and Charles was speedily confirmed in feeling that his own authority was concerned in dealing firmly with an unseemly outburst of what he and his chosen companions deemed to be unreasonable obstinacy. The usages of the French Court, and the example of his own illustrious grandfather, Henry of Navarre, seemed to justify his decision; and there were not wanting plenty of tongues ready to suggest that he must be master in his own Court, and must establish the principle that the title of King's mistress ought to be one of honour and not of shame. Those who, like Clarendon, saw in that fashion a degrading innovation in English manners, must be taught their error.

Bad blood was soon engendered between the English Court and the Portuguese authorities. The Portuguese ambassador found himself involved in the quarrel. The

failure of Portugal, in various particulars, to carry out the full stipulations of the treaty, however earnestly the Queen-Mother laboured to do so, was now made matter of reproach. The King blamed the unhappy envoy as responsible for the obstinacy of the consort whom his Court had supplied; the Queen reproached him with his false reports of the King's virtue and good nature, which she now discovered to be diplomatic fancies. Between the two the poor man "thought it best to satisfy both by dying": and a fever brought him to the brink of the grave, from which some dawning hope of a reconciliation between the royal pair alone rescued him. Diplomats and statesmen, whose plans were thwarted, and whose lives were worried, by these connubial jars, might have been pardoned for lamenting that the promiscuous amours of the King did not make him callous to matrimonial bickerings.

Charles, for once moved to persevering efforts to attain his end, did not abandon the hope of bringing the Queen to acquiesce in his decision by gentle means. He laid aside the anger which her conduct had at first aroused, and sought to cajole her into a better humour. He assured her that his intimacy with "the Lady" had already ceased, and that the place at Court which he proposed to assign to her would be the best guarantee against its renewal. But all these attempts were in vain. The Queen refused any compromise; and on his side the King, whose superficial good humour was not incompatible with profound and pertinacious selfishness, did not scruple to expose her to every insult at Court. He threw himself with his usual cynicism into all the degraded pleasures of the libertine crew of his choice companions; openly pursued his intimacy with Lady Castlemaine, and taught his friends, as an easy means of access to his favour, to flout the pretensions and the feelings of the Queen.

"I wish," he wrote to Clarendon, "I may be unhappy in this world, and in the world to come, if I fail in the least degree of what I have resolved, which is of making my Lady Castlemaine of my wife's bed-chamber. I am resolved to go through with this matter, let what will come of it: which again I solemnly swear before Almighty God; therefore if you desire to have the continuance of my friendship, meddle no more in this business, except it be to bear down all false and scandalous reports, and to facilitate what, I am sure, my honour is so much concerned in; and whosoever I find to be my Lady Castlemaine's enemy in this matter, I do promise, upon my word, to be his enemy as long as I live. You may show this letter to my Lord-Lieutenant (Ormonde), and, if you have both a mind to oblige me, carry yourselves like friends to me in this matter." [1]

Charles's easy humour cloaked an obstinacy as strong as that of any of his race. Be the object perverse enough, it asserted itself, in his facile character, with the pettishness to be found in a spoilt child. He knew Clarendon's opinion of "the Lady," whose acquaintance the Chancellor shunned, and to whom he had forbidden his wife to show any civilities. To Clarendon's bitter annoyance, the King imposed on him of all men the irksome duty of attempting an arrangement with the Queen. Clarendon had already met the request, when first made, by sturdy remonstrance, and by a powerful appeal to the King's sense of honour. It was only when no other plan could be devised for composing the ugly business, that he felt it his duty to remonstrate with the Queen. It was, he felt, "too delicate a province for so plain-dealing a man." The caprice of fortune never laid upon a man so proud as Clarendon, a task so irksome and so little to his taste. Only the public interest involved forced him to breathe for a time the stifling atmosphere, and mix himself in the nauseating topics, of the royal matrimonial

[1] Letters amongst Lansdowne MSS. in British Museum. Printed by Lingard, and in Lister's *Life of Clarendon*, iii. 202.

wranglings. Only the imperious need for suppressing a scandal which might smother the new settlement, and the royal power, in the mud of a sordid quarrel, bade him undertake a hateful duty. Honour could not be saved; but disaster might perhaps be avoided.

Again and again he attempted to argue with the Queen. He assured her, with such confidence as he might, of the King's promise to break the hated connection. He held out hopes of a cordial agreement between them to be gained by conceding what the King desired, at the expense of what Clarendon admitted to be a natural repugnance. He explained to her the authority which the King possessed, and hinted—we may guess with what repugnance—at the usages of other Courts, where such scandals were condoned. He was met, once and again, by passionate outbursts, to which the Queen gave way, and which, he knew, would only provoke the resentment of the King—the resentment of a nature, slow to be aroused, but once aroused, relentless because of its very cynicism. At length the Chancellor thought that he had prevailed, and the Queen professed her duty to her husband. But with an ill-judged change of humour she chose this mistimed moment for appearing unduly conciliatory to her rival, and thereby diminished such respect as her resistance had gained, even from those whom it provoked. Charles not unnaturally believed that the violence of an indignation so quickly appeased had been due only to capricious obstinacy, and to no strength of virtuous self-respect. His tyranny grew the greater by her weakness. He dismissed all but one or two of her followers, and left her friendless amidst an unfriendly Court. Clarendon worked in vain; he had done what he could to save the situation, and now "made it his humble suit to the King that he might be no more consulted with nor employed in an affair in which he had been so unsuccessful."

A semblance of reconciliation, whatever that was worth, was somehow patched up. The King no longer openly flouted his wife before the crowd of complaisant courtiers. On her part she submitted to his will, and stooped to the ignoble part assigned her in a profligate Court. She accepted, with gratitude, such an occasional show of kindness, as from time to time made the Court gossips surmise that a better understanding might come. For the rest she sank into insignificance amidst such childish amusements as were to fill up her life.

Praise and blame are alike out of place in regard to Clarendon's conduct in the affair, and we may spare ourselves the tedious moralizings of his critics. No one loathed more utterly than he the disgusting licentiousness out of which the whole sordid story grew, and no one treated with more contemptuous austerity the objects of the King's passion, and the pandars to his vices. However high his own ideal of domestic virtue, Clarendon was a man of the world, not blind to its vices, and not eager to pry into scandals or pursue the secrets of private life. It was not only the vice of Charles's courtiers, it was the sickening parade of debauchery in all its nakedness, which seemed to him to make the Court unmanly and contemptible. Feeling as he did, he had spoken words of bold remonstrance to the King himself, although he was fully conscious how irksome his moralizings were, and how easily they lent themselves to the gibes of Charles's baser companions. Busy tongues carried to him tales of these sneers—which were, indeed, scarcely concealed in his own presence, and which were only too openly betrayed by the behaviour of the sycophantish crew. He saw how fatal was the ruin caused by the flagitious obscenity of the Court—sunk as it was far below the level of the free play of licentious gallantry [1]—and he knew well

[1] The more we become familiar with the intimate records of the age, the

that this unseemly matrimonial fracas proclaimed it to the world. He tried rebuke and remonstrance. When these failed, he only did his duty in attempting—vainly, as it proved—a compromise; and it was with disgust as well as weariness that he turned away from the degrading and hopeless task of patching up the strife that was undermining all his efforts at reconstruction. The Court which he dreamed of restoring, chastened by adversity, enhanced in dignity, resting upon a sound constitutional foundation, and fenced by a bulwark of stately reverence, was now to be a byword amongst the people, as the home of ignoble trifling, of bestial vice, of sordid intrigue, and of vulgarizing domestic jars.

The little clique of his enemies comprised Bristol, that strange mixture of contradictions—fantastic vanity and flightiness, tempered by subtle wariness and vigorous intellectual strength; treachery and double-dealing, redeemed by occasional gleams of romantic extravagance and enthusiastic zeal; Buckingham, to whom all virtue was a natural object of antipathy, and pre-eminence in profligacy his chief ambition; and Ashley, whose keen intellect and cunning assumption of specious aims, were the instruments of a boundless ambition, and were unchecked by any thought of principle, or any scruple of consistency. They had as humbler tools, in their sordid work, Sir Henry Bennet and Sir Charles Berkeley. All found in this sorry affair, precisely the most favourable means of promoting the one aim which held them together—the undermining of Clarendon's power. For this object they were all alike prepared to support the pretensions, and flatter the vanity, of the shameless and grasping courtesan, to ruin the happiness of the wife, to

more we recognize how little its sickening degradation is described by any of the epithets usually applied to the reign of the "merry monarch." Its filth was even more disgusting than its vice, its obscenity than its licentiousness, and its unmanliness than its profligacy.

degrade the honour, and send to slumber the scruples, of the King, and to besmirch that Crown, which a flood of unselfish loyalty had restored, only two years before, to the love and reverence of the nation.

But other matters, of larger public concern, had to be faced by Clarendon; and in these, too, he was obstructed by the machinations of the same unscrupulous clique.

We are apt to forget, in the engrossing incidents of our civil war, and its sequel, the enormous changes that were in progress in the material condition of the country, and the larger economic struggle that was being waged between the Western European Powers in regard to the supremacy in commercial undertakings, as developed by the colonial enterprise of the time. Wars were to be carried on hereafter, not on the ground of dynastic disputes or of religious differences, but in order to gain a firm footing in the vastly increasing field of commercial operations. The sovereignty of the seas was necessary to achieve that end, and it was this underlying conviction that prompted the United Provinces to their struggle with the English fleet—a struggle, the ultimate fate of which remained long doubtful in view of the intense importance of the warring interests, and the indomitable courage of the combatants on either side. Cromwell had enormously developed the commercial supremacy of England by the Navigation Act, which required that foreign goods should arrive in England only in ships sailing under the English flag, or under the flag of the country in which the commodities had their origin. This Act was renewed by the Convention Parliament and confirmed by the Parliament of 1661, in its full stringency of operation. It threatened the very foundation of the Dutch naval and commercial supremacy, and planted a root of enmity between England and the United Provinces, rendered permanent by the irreconcilable opposition of material interests which grew

up by the irresistible force of circumstances. Other differences might be composed, but that resting on the instinct of self-preservation could know no end. Statesmen had to shape their policy—sometimes blindly enough—but always under the pressure of this vigorous instinct of self-interest prevalent amongst the trading classes of the country.

The wealth of France rendered her less susceptible to these feelings, and her statesmen took less account of them; but to prove the unquestioned power of her Crown, it became necessary for her to assert herself, like her neighbours, at sea. Just before the Restoration, an insecure peace had been patched up between France and Spain. But while France consented to abandon her support of Portugal, she had no mind that Portugal should be left at the mercy of Spain. It was her first business to contrive a counterpoise to the power of Spain. But it was more difficult for France to decide what should be her relation to England. She had cultivated an alliance with Cromwell, and in order to consolidate that alliance, she had treated the Royalist cause with contemptuous neglect. Neither on the part of the people of England, nor on the part of its Court, was any close connection with France desired. The old jealousies, bred of close neighbourhood, could not be effaced. An alliance with Spain had seemed at first more desirable.

But overtures from Charles for a Spanish marriage had been treated somewhat cavalierly by the Spanish Court. This naturally prompted the obvious alternative of a Portuguese marriage, and such a marriage offered to France precisely the opportunity she desired. A marriage treaty between England and Portugal seemed certain to secure for Portugal the support of England in her struggle with Spain; and France welcomed the appearance of an ally who might

render to Portugal that help against Spain, which she herself was precluded by treaty from openly offering. The King of England had been encouraged to prosecute the treaty of marriage with Portugal by assurance of French sympathy. Such sympathy would not, in itself, have been a sufficient inducement. Other more powerful motives operated. "The principal advantages we propose to ourself," wrote Charles to his envoy in Portugal, "by this conjunction with Portugal, is the advancement of the trade of this nation." These words were perfectly true, and the possession of Tangier and Bombay, with equal trading rights in the East Indies and Brazil, were real and substantial advantages to England. They were not lessened by the fact that the alliance brought England and France, for a time, to a better understanding.

But France had her own causes of jealousy, and it was necessary for Clarendon to take all care that these should not drive her into the hands of that chief enemy, with whom England must sooner or later come to deadly grips—the Dutch Republic. Clarendon fully appreciated the great work of Cromwell in making England feared in Europe, and he was anxious that she should not, under the monarchy, suffer any abatement of the power which Cromwell had so triumphantly established. But he knew also the inherent weakness of the country at the moment, and her inability to sustain the burden of a war. To Clarendon it was a matter of supreme and vital importance that war should not come until her resources were consolidated. Even at the cost of a crippling debt, her naval stores and arsenals were equipped with careful industry. But Clarendon knew well that though definite and detailed preparation of that kind might help her to meet a sudden emergency, England was in no financial condition to maintain the annual pressure of a long-continued war.

France, alive to the embarrassments of English Ministers, soon put forward new topics of complaint, and pressed for redress as the price of her continued friendliness. Disputes arose as to the respective rights of the fishing fleets of each country, and acts of violence and privateering occurred on both sides. France refused to comply with the custom that had prevailed since it was conceded by Henry IV. to Elizabeth, which recognized England's naval supremacy by prescribing that all other fleets should salute the English flag.[1] The

[1] The following statement, which has kindly been supplied to me, has high authority :—

"From the 14th to the 18th century the salute (at first by lowering the topsail, and later by dipping the flag) was more or less jealously claimed by English ships of war from all other ships, whether foreign men-of-war or English or foreign merchantmen. While there was no nation strong enough to resist the English claim (and this was especially the case while England held possessions on both sides of the Channel) the salute was pretty generally accorded, and it was not until the 17th century that any serious resistance was made. During almost the whole of that century an acute controversy raged about the meaning and the scope of the Sovereignty of the Seas. The English case was bolstered up by doubtful documents, such as an alleged Ordinance of King John, said to have been issued at Hastings in 1200, but now acknowledged to be a forgery.

In 1635, Selden published his 'Mare Clausum' in support of the English claim. Apparently he was moved to this by the publication by Grotius in 1633 of 'Mare Liberum,' though the latter was more directly aimed at the monopoly claimed by the Portuguese in the East Indies. Probably Selden wrote with his tongue in his cheek to please Charles I., for he is said to have made ridicule of his own book in private conversation.

The English, however, were not content to enforce their claim by words, but often during the 16th and 17th centuries enforced it by cannon shot.

The arrogant claim that any vessel (a yacht for instance) bearing the Union flag must be saluted by foreign ships, and even by a foreign fleet of men-of-war, was much resented by the Dutch after they had crushed Spain, and was one of the causes that led to the outbreak of the First Dutch War (1652–4) though commercial jealousy was the prime cause.

The first battle (Dover, May, 1652) was occasioned by Tromp flaunting his flag in the face of Blake.

This war turned out, on the whole, sufficiently favourable to the English to enable them to secure a clause in the Treaty of peace in 1654—

> 'That the ships and vessels of the United Provinces, as well those fitted for war as others, meeting any Ship of War of the said Commonwealth in the British Seas, shall strike their Flag, and lower their Topsail in such manner as had been any time before practised under any Government.'

Similar clauses occur in the Treaty of Westminster, 1662, and that of

traditional, but none the less galling, assumption of the titular sovereignty and arms of France, by the English King, was another cause of emphatic complaint. The French Court knew enough of England's financial weakness, to judge the moment propitious for pressing these subjects of dispute. Clarendon thought it well, to begin, at least, by assuming an independent and combative tone. He strove, under the compulsion to which many a diplomat has had to yield, to cover his weakness by proud words, and he managed to provoke Louis XIV. to angry remonstrances, and even to threats of war. It was to Clarendon personally that the French King ascribed the supercilious tone of the English demands, and it was his compliance that Louis and his Ministers chiefly sought to gain. The Powers abroad knew what Clarendon's work for the exiled Court had been. They could estimate the value of his statesmanship, and dreaded him as England's most efficacious Minister. But they attributed to him a power which, hampered as he was, was never truly his. Clarendon was in truth attempting an impossible task, and he fought with fettered hands. He could expect no support from the King, who was already allured by the prospects of financial assistance, skilfully held out by Louis. It was hard to maintain a proud defiance amidst the perplexities of divided counsels, of selfish intrigues, and of a bankrupt exchequer. He had to temporize as to the King's title, and to accept the abrogation of the token of respect to England's supremacy upon the seas. The imperious tone was one which no Minister of Charles II. could longer safely assume.

Breda (which ended the Second Dutch War), 1667. The Treaty closing the Third Dutch War (Westminster, 1673) has a similar article, but the seas are defined.

During the 18th century the claim does not seem to have been often enforced, and by the time of the Peace of Amiens, 1803, when the ancient claim to the Sovereignty of France was formally abandoned, the claim to the salute had become extinct."

Another far more substantial concession to French demands soon after came up for discussion.

It was a striking tribute to Cromwell's influence abroad that the sea-port of Dunkirk, when conquered by the allied Powers, had, according to treaty, been handed over to the keeping of the English Commonwealth. It was not the only important possession which the restored King of England owed to the prowess of the rebels by whom he had been exiled, and to whose conquests he was now the heir. As to its value there were doubts. Although it had been a troublesome hive of privateers, the place was reckoned not to be really of much strategical importance, and the naval experts had already expressed doubts whether its value was equivalent to the expense which it involved. The revenue of England was sorely crippled, and the possession of Dunkirk not only involved heavy expenditure, but was a very probable source of expensive warlike complications. It was from Lord Southampton, who, as Treasurer, felt the financial burden most, that the first suggestion of parting with it came. The exchequer was in ill state to stand further drains, and Tangier and Bombay, however beneficial their possession might ultimately become, were now nothing but sources of heavy expense. Southampton imparted his misgivings to the King, and sought for some device by which he might shift some part of the constantly growing expenditure. Could Dunkirk not be handed over as a *damnosa hereditas?* The naval experts were consulted, and were ready not only to acquiesce, but to avow their opinion that Dunkirk offered no advantages equivalent to its cost, which was reckoned at not less than a hundred and twenty thousand a year. Southampton told the Chancellor of his difficulties, and propounded to him the scheme for lightening them; but found Clarendon so averse to a proposal for parting with any naval stronghold, that even the entire confidence bred

of their old friendship did not tempt the Treasurer to reopen a subject so distasteful until some definite proposal could be framed. The General (Albemarle) and he laid it before the King so urgently, that Charles was attracted by a scheme which offered the tempting bait of financial provision, and at length it was formally brought before that secret and select Council which consulted upon all matters of prime importance. It could no longer be kept from the Chancellor; and Clarendon's illness made it necessary on this, as on many other occasions, to summon the Council to his sick-room, where, besides the King and the Duke of York, the Chancellor and the Treasurer, with Albemarle, Sandwich, Sir George Carteret, and the two secretaries of State, were present. Southampton knew the opposition he had to expect from Clarendon, and playfully asked the King, when he entered the room, "to take the Chancellor's staff from him, otherwise he would break his Treasurer's head." Charles told Clarendon that the business to be debated was one which he knew that Clarendon would oppose; but when he had heard the arguments, he thought they would change his view. Steps had evidently been taken with care to prepare the ground and marshall the arguments. The naval and military experts explained the small strategical value of the place, its ineffectiveness as a naval base, and the deficiencies of its land defences. Against such arguments Clarendon was, of course, powerless; and it was equally impossible for him to argue away the heavy burden on a crippled treasury, of which the Treasurer begged to be relieved. To hold the place longer was only too likely to involve a costly war with one or both of the Powers of France and Spain, and it was a source of irritation to the United Provinces as well. Not only were the arguments strong, but the Chancellor was soon convinced that he had not been consulted until those who desired to effect a

profitable bargain had already gained the determined adherence of the King. It was no part of Clarendon's practice to argue in the face of impossibilities. Little remained for him or any other Minister but to decide with which Power it was possible to strike the best bargain, and which it was most expedient to conciliate.

There are some variations between the various accounts that have reached us as to the first author of the suggestion. Sandwich, in a conversation with Pepys,[1] averred that he himself was the first adviser, and this account is partially confirmed by what Sir Robert Southwell told, in 1670, of a conversation between Sandwich and himself in October, 1667. On the other hand, D'Estrades, the French envoy, asserts—what would give the lie to what Clarendon avers in his Life with convincing proof and elaborate circumstantiality—that Clarendon had told him that he was himself the author of the proposal. As regards Pepys's report, Sandwich, probably, after the common fashion of experts, assigned too much importance to his own expert advice; while the French envoy might easily have misunderstood the attitude assumed by Clarendon, who was bound, of course, to submit to the French diplomat even proposals which he disliked as if he entirely concurred in them. We need have no difficulty in assuming Clarendon's own deliberate and written account to be substantially correct. That he was brought unwillingly to concur in a proposal which had virtually obtained the assent of the King, is confirmed by the fact that in his speech to Parliament in May, 1662, he condemned the murmurs against the cost of Dunkirk, on the ground that it was a diadem of which the English Crown could only be deprived at the cost of great danger. It was no part of Clarendon's character to decline a responsibility which was his own; nor was it his inclination

[1] In February, 1666.

to part lightly with anything that added to the dignity of the English Crown. That the first suggestion did not come from him may be accepted on his own solemn averment; but it is also strongly confirmed by inherent probability.

It remained only to decide with which Power the bargain should be made. Policy, it might have been held, should have some influence in determining the choice, at a moment when international relations were so delicately poised. But Clarendon tells us that, strangely enough, the only question was, Who would give the highest price? Both Spain and France were eager to have the sea-port. Of the two Spain was by far the most popular in England; but she was not likely to be so good a purchaser. She claimed the cession of Dunkirk as a right, and it is always improbable that one who puts forward such a claim should be inclined either to pay heavy purchase-money, or to owe a deep debt of gratitude, for what is claimed as a right. Above all, the coffers of Spain were in no condition to meet a heavy payment. At best, there would have been tedious delay, during which the heavy expenditure on the maintenance of Dunkirk would have continued to fall on the English Treasury. To part with the sea-port to the United Provinces might have secured a better price than from either of the Crowns; but it would have been a signal of war to both of these, and the United Provinces themselves might have found it a costly and embarrassing possession.

It was with France, therefore, that the haggling had to be done, and it was prosecuted with all the eagerness of the auction mart. Such transactions can never be very dignified. The cession of an important sea-port must necessarily be galling to national pride, and an injury to national *prestige;* and in this case was the more damaging from the tenure of Dunkirk being the token of Cromwell's proud supremacy abroad. The chaffering went on through all

the usual stages of alternate bluff and concession on both sides. The final settlement secured for Charles a payment of some two hundred thousand pounds. In the reckoning of the day that was held to be a considerable sum. It possessed the merit, no inconsiderable one in the mind of the King, of being at least free from any of the embarrassments of a Parliamentary grant. Apart from the actual money paid, the Treasury was relieved of an expenditure of about one hundred and twenty thousand pounds annually. Of all such vantage posts abroad, Dunkirk was perhaps the least useful, and the most risky to hold. Trifling as was the price obtained according to our reckoning, it was nevertheless of importance in the actual state of the exchequer. But the nation invariably shows itself sensitive to the loss of honour implied in such a cession, and is glad to have a victim on which to wreak its irritation. It was on Clarendon that its unreasoning vengeance fell, and at a later day the blame for an arrangement which he did not initiate, and which at first he earnestly opposed, aggravated his growing unpopularity. Once more he had had to content himself, not with the policy he most approved, but with that which suited best the exigencies of the time; and he had to bear the blame for action to which he unwillingly consented. It is the hardest lot for the statesman, because it is that which his enemies impute as a crime, and for which his friends can only offer an apology.

Whatever the injury to national dignity, the transaction not only gave substantial pecuniary relief, but it seemed to promise, for the time, a secure foreign alliance. The irritation on the side of France was allayed, and Louis abandoned that tone of offence against Clarendon, which he had repeatedly used to his ambassador, and which showed that he regarded the policy of the Chancellor as the most serious menace to his power. The cordiality

between England and France was perhaps insecure, but it was cemented by their common interest in maintaining the independence of Portugal, and that, again, offered good prospects to the trading interest of England.

But, at home, Clarendon found his influence threatened by increasing virulence of intrigue, and by new scandals and dissensions at Court. To the world at large he was still the all-powerful Minister. Only a few months before, Dryden had poured out a poetical tribute, from that mint of flattery of which his expenditure was so lavish, and had told Clarendon that he and the King bounded the horizon of the universe to their country, and had compared his wise counsels to the rich perfumes of the East. Even Louis XIV. did not think it below his dignity to solicit the Chancellor's favour, and to be jealous of his power. But Clarendon was not blind to the influences that were undermining that power. Hitherto he and Southampton had managed Parliamentary affairs through a small knot of members of tried fidelity and experience. Such management called for wary and cautious treatment, if jealousy was not to be aroused amongst the Parliamentary ranks. The idea of government by an organized party in Parliament was as yet unknown to our political practice, and would not have met with any favour from Clarendon. To him a Minister was the servant of the King, and in no way the nominee of any Party. None the less the germs of the new system, all undiscerned by himself or his contemporaries, were developing during his Ministry. We have already seen the knot of courtiers who were held together chiefly by a common—although not clearly avowed—jealousy of the Chancellor. Ashley, Buckingham, Bristol, and Lauderdale, were the chief members of that confederacy; and they soon found means to introduce new instruments to help in working the Parliamentary machine. The most notable of these

were Sir William Coventry, the son of Clarendon's old friend, Lord Chancellor Coventry, and Sir Henry Bennet, who is better known to history by the name of the Earl of Arlington, which was the title conferred upon him in 1672.[1] The influence of these two in Parliament, as the accredited agents of the Court, began with the session of 1663, which opened on February 18th, and closed on July 27th. For William Coventry, Clarendon had a deep-rooted dislike, which was increased rather than lessened by Clarendon's respect for his father, and his good-will to his brother, Henry Coventry.[2] William Coventry's was one of those "unconversable" natures which moved Clarendon's aversion. A sullen temper, a censorious habit, and a pride that led him to belittle all in which he was not chief agent, were precisely the traits of character which Clarendon distrusted and disliked. He admits Coventry's abilities, and gives him credit for being exempt from the degrading coarseness which was typical of the Court. His portrait is painted for us in a few sentences with all the consummate skill of the historian of the Rebellion.

"He was a sullen, ill-natured, proud man, whose ambition had no limits, nor could be contained within any. His parts were very good, if he had not thought them better than any other man's; and he had diligence and industry, which men of good parts are too often without. . . . He was without those vices which were too much in request, and which make men most unfit for business and the trust that cannot be separated from it."

Clarendon's genius for character-drawing never suffers him to paint even the portraits of his enemies all in black.[3]

[1] He was created Baron Arlington in 1664.

[2] Henry Coventry was the elder brother of Sir William. He had more than once been useful in embassies to Sweden, where he seems to have acquired some of the convivial habits of that country. Without his brother's wit, dexterity, or eloquence, he seems to have joined more than his frankness to a blustering manner.

[3] Clarendon's prejudice against Coventry, however, in spite of the

Such was his conception of the man who now became Secretary to the Duke of York, and an active centre of intrigue.

Sir Henry Bennet was a foeman of another kind. It was during the period of exile that he had managed to ingratiate himself with Charles, and their subsequent intimacy was coloured by the scenes which they had once shared together. Bennet was the natural product of an exiled Court, forced to have recourse to shifts of no dignified kind, and breathing an atmosphere of cynicism and distrust. He knew nothing of, and cared, if possible, still less for, the Constitution or the laws of England. He was one of those who cultivated the friendship of Spain, with whose leading statesmen he had close relations, and who saw in that friendship a balance to the Portuguese alliance and the policy which Clarendon was believed to pursue. He had no Parliamentary talents, and entered Parliament for the first time during the session of 1663. But he was a pledged and trusted member of the little Court cabal, which was now determined to organize a party in Parliament to oppose the Chancellor's power. It became a part of their scheme to find a place for Bennet where he could exercise a distinct influence upon administration. The preliminary arrangements for this were made without the Chancellor's knowledge. That stout and faithful servant of the King, and sure friend of the Chancellor, Sir Edward Nicholas, was now feeling the weight of years. His ample experience and tried fidelity weighed for nothing in the minds of the Court clique, who desired his place for Bennet. The King was easily persuaded to adopt the view that the Chancellor found, in two old and weak secretaries, conveniently subservient tools. Tempting terms were proposed to Nicholas. Suggestions were skilfully thrown out that he should quit

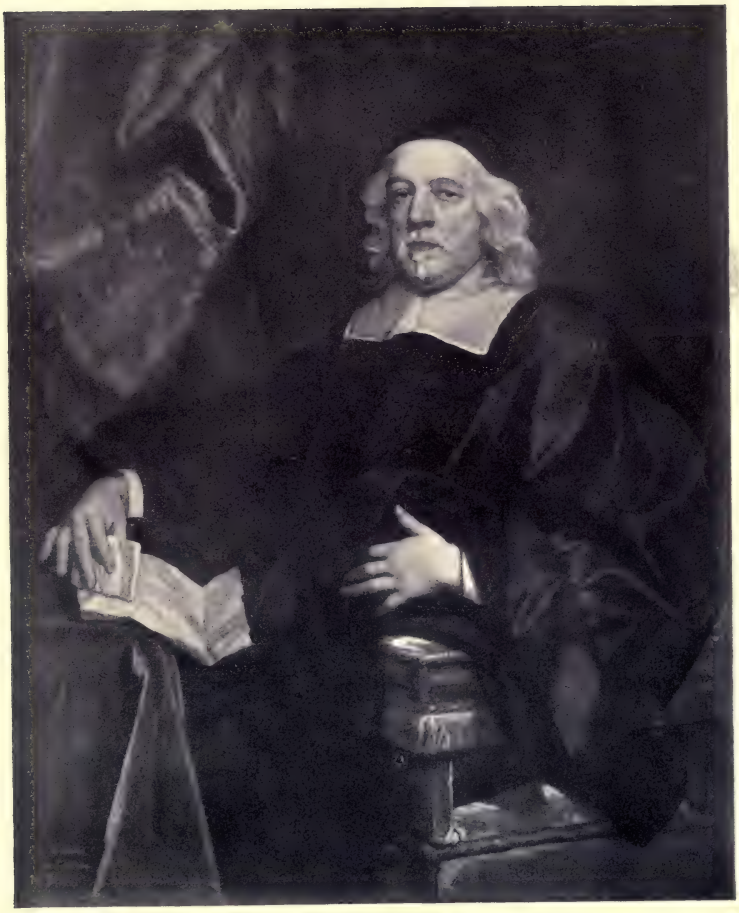
admission of his ability, was abnormally strong, and we shall find reason later to doubt whether Clarendon did not in this case allow personal resentment to blind him to some of Coventry's merits.

his employment, receiving the ample provision of £10,000 in lieu of it, and also some notable token of the gratitude and respect of the King. It was only natural that the old man—whose memories of public service carried him back to the days when he had been amongst the followers of the Duke of Buckingham at the time of his assassination, nearly forty years before—should accept the proposal readily. How it seemed to Clarendon is best seen in his own words. "It cost the King, in present money and land on lease, very little less than twenty thousand pounds, to bring in a servant whom very few cared for, in place of an old servant whom everybody loved."[1] The little faction who were intent upon their selfish plans for ousting the Chancellor recked very little of lavish expenditure. The same move that made the secretaryship of Nicholas vacant for Bennet, left Bennet's place of Privy Purse available for another of the new favourites and conspirators—Sir Charles Berkeley.[2] Amongst the crowd of discredited and dishonest intriguers none was more vile or contemptible than he. In earlier days his character was too notorious to be tolerated even by Charles; but there were tricks and services, to which Berkeley made no scruple of stooping, and which served to secure, first the tolerance, and then the friendship, of the King. These changes in the official world were all menaces to Clarendon's power.

It was one of the ironies of fate that the baser influences, now gaining new power at Court, created or stimulated discontent, the brunt of which fell on Clarendon, against whose authority these influences were chiefly directed. The moral sense of the nation was being gradually provoked. That sense is regulated by no great judgment, and often moves under violent prejudice; but it slowly yet surely shapes itself on sound foundations. The reaction

[1] *Life*, ii. 228.

[2] Soon after created Earl of Falmouth.



SIR EDWARD NICHOLAS.

(From the original by Sir Peter Lely, in the National Portrait Gallery.)

against Puritanism had carried the nation far in the direction of tolerance even of lax morality; but the scandals of the Court had already begun to outrage the nation's sense of decency; and when outraged decency is combined with increased pressure of taxation and decreasing prosperity, the united force becomes a menacing threat. It was a comparative trifle that the King's alleged bastard[1] by the notorious Lucy Waters, was now formally introduced at Court under the name of Crofts; was married to the heiress of the Earl of Buccleuch, and was speedily created Duke of Monmouth. Such relationships had before been tacitly recognized but not explicitly avowed; now for the first time the patent of nobility declared the youth to be the natural son of the King. Vice laid aside that homage of hypocrisy which it had before paid to virtue. It was an innovation which Clarendon firmly opposed. "It would have," he told the King quite plainly, "an ill sound in England with all his people, who thought that these unlawful acts ought to be concealed, and not published and justified."[2] Precedents from France and Spain would not pass current in England; and even if these precedents were admitted, they would hardly parallel the ennobling of the bastard of a notorious courtezan, born when the King was scarcely sixteen years of age, and whose parentage was, to say the least, doubtful.

By themselves such domestic scandals may perhaps count for little. But when they are accompanied by growing discontent, resting upon solid grounds, the aggregate of irritation becomes considerable. Our foreign commerce was seriously crippled, and our manufactures found no outlet. The home markets were interfered with by foreign goods imported during the recent years of unsettlement

[1] He was born in 1646, and the King's age at the time justified doubts, which the lady's lavish favours did not diminish.

[2] *Life*, ii. 255.

in exaggerated quantities. The large advances made by the bankers to meet taxes heavily in arrear produced a scarcity of money, and this again led to a serious fall in rents. There was hardly a class in the nation which was not suffering by the prevailing insecurity; and these sufferings were aggravated by increasing taxation, by declining national credit, and by the fears of insurrection, and of renewed civil war, caused by the decaying reverence for the Crown. No one recognized more clearly than Clarendon, or detested more cordially, the scandals that tarnished the restored monarchy; to no one did they bring a fuller crop of crushed hopes, and baffled efforts. Fortune's cynical injustice was never more clearly shown.

To some of the clique of Clarendon's enemies it seemed as if the time had come to strike a decisive blow. Stories of his impending fall were rife. Pepys, repeating the gossip of the day, and the tittle-tattle of the back stairs, tells us how "they have cast my Lord Chancellor on his back past ever getting up again."[1] Bristol was the first who determined to take overt action against the Chancellor. His first effort was a singularly inept one, and involved one of the confederates much more than Clarendon. Bristol had hopes, it would appear, of arranging for himself a body of "undertakers" in the House of Commons, who were to take upon themselves the management of measures desired by the Crown. He had offered to Charles the services of Sir Richard Temple, who, he asserted, would, if trusted, undertake that the King's business would be effected, and revenue settled. Coventry, whose special functions were thus threatened, reported the words, as those which had been used to the King "by a person of quality," to the House, which thus saw its independence flagrantly assailed; and on the petition of the House, the King disclosed the name

[1] Pepys, May 15th, 1663.

of the Earl of Bristol as his informant. Bristol craved to be heard by the House in his own defence; and addressed them in that tone of theatrical vanity and rhodomontade in which he was apt to indulge. The whole transaction is a little obscure, and its objects seem inconclusive. The world was already accustomed to these outbursts of Bristol's self-advertising folly.

But his next step was more direct and more audacious. It was no less than the impeachment of the Lord Chancellor. He consulted the King, who endeavoured to dissuade him, but to whose dissuasions Bristol's insolent reply was, that if he were not supported, "he would raise such disorders that all England should feel them, and the King himself should not be without a large share in them."[1] The interview was evidently a stormy one, and Bristol did not scruple to threaten his King in language for which he had afterwards to offer the most abject apology.

The charges which Bristol, in spite of these warnings, formulated against Clarendon in the House of Lords, were flimsy and fanciful even for his contriving. Clarendon, it was alleged, had arrogated to himself a superior direction in all his Majesty's affairs. He had abused the trust by insinuating that the King was inclined to popery;[2] he had alleged that the King had removed Nicholas, a zealous Protestant, in order to bring in Bennet, a concealed Papist; he had solicited from the Pope a Cardinal's hat for Lord Aubigny as the price of suspension of the Penal Laws against Catholics; he had been responsible for irregularities in the King's marriage; he had uttered scandals against the King's course of life; he had given out that the King intended to legitimize the Duke of Monmouth;

[1] *Burnet*, i. 339.

[2] These charges from one who, on grounds of conscience that were more than suspected, had joined the Roman Catholic Church, are worthy of Bristol's audacious inconsistency.

had persuaded the King to withdraw the garrisons from Scotland; had advised the sale of Dunkirk; had told the King that the House of Lords was "weak and inconsiderable," and the House of Commons "weak and heady;" and he had enriched himself and his followers by illegitimate means.

It is difficult to understand how even the blind vanity and over-weening self-importance of Bristol could have persuaded him that this string of absurdities could injure the Chancellor, or obtain credence even from his most prejudiced foes. There was not a single item that could involve a charge of treason even if true, and some of the allegations imputed to Clarendon opinions and aims to which he was notoriously opposed. It was evident that Bristol had been inspired only by an insane desire to charge against Clarendon anything which seemed likely to attach some unpopularity to his name.

At Clarendon's desire the charges laid against him were referred to the judges, who unanimously reported that the accusations had been irregularly made, and that, even if they were admitted to be true, they involved no treason. The King sent a message to the Lords, to inform them that some of the facts alleged were, to his own certain knowledge, untrue. Never were charges more recklessly brought, and never did a weapon, forged against an enemy, towards whom Bristol nursed an almost insane jealousy, turn with more deadly effect upon its contriver. A warrant was issued for Bristol's arrest, and he escaped any more drastic punishment only by absconding. But the episode closed for the time Bristol's career; and for a season it seemed to confirm and re-establish the supremacy of Clarendon. One of his foes at least had been worsted in the attempt to cast him on his back. But harder troubles than those raised by Bristol's ill-aimed attack still awaited him.

CHAPTER XXI

THE DUTCH WAR

Bristol had shot his bolt prematurely, and was foiled in his attack upon Clarendon. For the moment the Chancellor's authority seemed to be consolidated by the very machinations of his enemies. But the rancour of the intriguers was none the less vigorous, and it required all his courage and steadfastness to maintain the load of public care that hung upon him while he saw his influence undermined by secret slander. He knew well that the King was listening to those who spared no effort to excite his jealousy of Clarendon's control; that the easy humour which prompted Charles to avoid a rupture was no trustworthy shield against the effects of his growing irritation. He saw that the Court was sinking deeper in the mire of licentiousness and corruption, and was daily rousing against it more emphatically the anger and contempt of the nation, and making his own task of consolidation more hopeless. The anxieties and hardships of long years of civil war, of exile, and of poverty, were telling sorely upon his own health, and much of his work had to be carried on from a sick-bed, and under the strain of painful illness. Ambition had never played a great part in his life; and even gratified ambition would have been ill-paid by high place and sounding titles, when these were accompanied by baffled hopes, and by the sight of his ideals fading into unreality. But his difficulties were now to be increased, as he saw the nation gradually drifting into

war, under the promptings of a selfish and reckless faction, who exploited national jealousies for their own purposes, and, mistaking a spirit of boastful bluster for courage and determination, sought to supply the place of deliberate preparation by thoughtless provocations. And all the while he knew perfectly well that, if disaster ensued, his enemies would lay the blame on him.

Between England and the Dutch Republic, the causes of irritation had been rapidly accumulating. The centre of the commerce of the world had now shifted to North-Western Europe, and the growing commercial interests of the day were a sure and increasing source of international jealousy. The rivalry between England and Holland had begun before the Civil War, and during that war Holland had found in England's distractions a splendid opportunity for stealing a march on her most powerful rival. In her colonial enterprise she had easily outstript Spain and Portugal, and more than held her own with England. Her trade was the largest of the world. Her fleet was admirably equipped, and the great traditions of her naval commanders were worthily maintained since the death of Van Tromp, by De Ruyter. If her marvellous prosperity carried within itself the seeds of decay, these were not as yet apparent; and however dangerous were her internal dissensions, they were for the time neutralized by the cunning and the capacity of De Witt. No Power had better reason to recognize the imperial force of Cromwell, and none was more keenly conscious of the contrast between his master will, and the vacillating and distracted counsels that now prevailed at the Court of England. Clarendon saw the position as well as they. He knew how poor was the bulwark supplied by the noisy loyalty of the Restoration, and how imperatively necessary it was to consolidate authority at home before launching upon a foreign war.

We have already spoken of Cromwell's Navigation Act, forbidding any imports into England except those carried in English ships, or in ships belonging to the country of origin, and of the deadly wound which that Act had inflicted upon the Dutch carrying trade. The Act had, as we have seen, been renewed by the Parliament of 1661; but it remained to be seen whether England could maintain by force of arms the supremacy which such legislation assumed. If this was to be done, it could be only by careful preparation, by establishing a sound financial system, and by presenting a united front. All these essentials were ignored by the recklessness of Clarendon's enemies, and his efforts to secure them were baffled by the profusion, the waywardness, and the petty irritation of the King.

The Dutch could offer no direct opposition to the Navigation Laws; but in colonial affairs they had ample opportunity for inflicting injury upon England, and they were not slow to avail themselves of it. A tariff war between the two countries had already begun. The woollen manufacturers of England were threatened by the high import duties imposed by the Dutch upon English goods; and England endeavoured to meet these by prohibiting the export of wool. Each Parliamentary session saw new import duties imposed upon foreign goods imported into England, and in many cases their importation was absolutely prohibited. The rivalry in the fishing trade led to conflicts which were carried almost to the point of war, and the fishing fleets from the Dutch and English ports both reckoned, as an ordinary experience, on having to defend themselves by armed force. But it was on the West coast of Africa, and in the East Indies, that the two Powers came into most serious collision, and there the bitterness of rivalry was increased by a long catalogue of wrongs suffered on both sides. The estrangement was intensified when the

chief colonial rival of Holland seemed likely to become, by the marriage treaty, the ally of England, and when Portugal threatened, in the confidence of that alliance, to prosecute her schemes of vengeance for the aggressions of the Dutch. It became of the first importance for the Dutch to patch up some sort of treaty with Portugal before the English alliance should be cemented, and this was the object of the statesmen of the United Provinces. To counteract this seemed to some to be the soundest policy for England.

The negotiations at the Hague were carried on by Sir George Downing, who without being a leading statesman, or wielding any considerable authority in England, yet managed to exert no little influence upon the course of affairs at a very critical juncture. His career had been a strange one. He was of obscure birth, but had managed to ingratiate himself with the Protector, and was employed in various capacities—ranging, it would appear, from chaplain to scout-master—in the Scottish army. In 1656, he appeared in Cromwell's Parliament, as member for Haddington, and secured for himself a plurality of offices, which combined a tellership of the Exchequer, with the captaincy of a troop of horse. The time was favourable for the adventurer whose advance was delayed by no scruples of conscience, and no deficiency of self-assurance ; and Downing increased his importance by a marriage with the sister of Howard, first Earl of Carlisle. We next find him resident at the Hague, as Cromwell's representative, and exerting himself, with obtrusive zeal, in urging the exclusion from Dutch territory of the exiled King and his Court. But Downing was one of those who readily, and with no troublesome qualms of conscience or of honour, accommodate themselves to changes of political circumstances. He was astute enough to foresee the coming Restoration, and easily secured the confidence and gratitude of Charles by betraying

the secrets of those whose agent he was. He rendered a useful service in betraying to Charles's advisers the double-dealing of Sir Richard Willis, the Royalist who stooped to be spy for Cromwell, and compounded with his conscience by taking care that his betrayals should be accompanied by warnings which enabled those whose movements he betrayed, to provide for their own safety. Downing carefully copied the manœuvres he exposed, and was dexterous enough to arrange that he should continue, by an easy transference of allegiance, to act at the Hague for Charles, in the same capacity as he had acted for Cromwell. He had gained experience which was eminently useful; and he was soon ready to show the same relentless skill in tracing the hiding places of fugitive rebels, as he had lately shown in harassing the exiled Royalists. He was a man of unquestionable ability, of dauntless audacity, and restless activity; but he moved the hatred and contempt alike of Royalist and rebel, for his arrogance, his brazen insolence, and his cynical lack of conscience. Clarendon had now to use him as agent in a series of complicated diplomatic transactions. To his perspicacity, promptness, and determination, the Chancellor might trust. But again and again, in his correspondence, Clarendon has to urge caution, to rebuke Downing's arrogance, and to expostulate with him for an attitude deliberately provocative, and neglectful of the plainest instructions inculcating prudence and reserve. Clarendon was to have his instinctive dislike of the man aggravated by many future provocations in other fields. At this time, he found him the most dangerous of agents in a negotiation of the utmost delicacy—one impatient of control, impetuous in temper, reckless by his greed of self-glorification, and too intent upon achieving a diplomatic triumph, to pay any attention to the risks of premature hostilities.

Downing was determined to prevent the concession of any substantial advantages to the Dutch by means of the Portuguese treaty, and did not hesitate to assert that any such concession would be treated by the King of England as a breach of the engagement between Portugal and himself. Clarendon was not prepared to assume such an attitude. An open breach between Portugal and the United Provinces would undoubtedly have involved England in war.

"You must set all your wits on work to prevent this war, which will produce a thousand mischiefs," wrote Clarendon to Downing;[1] "the Dutch will undergo their full share of them; nor can any good Dutchman desire that Portugal should be so distressed as to fall again into the hands of the Spaniards."

Clarendon, of course, was alive to the disadvantages of a grant by Portugal to the Dutch of privileges of trade equal to those possessed by England. But if Portugal agreed to indemnify England for any loss of exclusive privilege, then, in God's name, let them sign what treaty they pleased. Anything rather than be plunged in a war to which the resources of the nation were not equal, and which would inflict a far more crushing blow upon those commercial interests in defence of which it would be waged, than could be involved in any unduly generous treaty concessions to a rival. The treaty was ratified, and for the moment the breach between the United Provinces and Portugal was avoided.

Other grounds of quarrel soon supervened. Charles had strongly espoused the interests of his sister's child, the young Prince of Orange, whose exclusion, through the instrumentality of De Witt, from the office of Stadtholder,

[1] Letter of November 22nd, 1661.

which had been held by his father, was keenly resented by the English King. Downing was instructed to support the Prince's claim, and was ready, with his usual headstrong pugnacity, to make it an essential condition of any treaty that these should be conceded. "The Dutch would not hazard their trade," he wrote, "upon such a point." But he failed to notice that the point involved the influence of De Witt, the most powerful man in Holland. Once again Clarendon had to moderate the impetuosity of his representative: we could make no such stipulation. "Upon what grounds, I pray," wrote Clarendon to Downing, "can the King, in renewing a league with the States-General, demand that they should choose a general of his recommendation?" It would be time enough to intervene when we had established peace. Then, and then only, could we think of fighting against the intrigues of De Witt with any prospect of success.

Clarendon knew well that nothing would suit the plans of Louis XIV. so entirely as an internecine war between England and the Dutch. Nor was this the sole danger to be feared from engaging in hostilities. It was only by a peace with Holland, that the fear of new dissensions at home could be allayed.

"There is nothing," writes Clarendon to Downing, in August, 1661, "the seditious and discontented people here do so much fear as a peace with Holland, from the contrary to which they promise themselves infinite advantages." "If this peace can be handsomely made up, and speedily, great conveniences will arise from it; and we may, after two or three years' settling at home, be in the better position to do what we find fit."

For the present, the aim of Clarendon's policy was to restore the position to what it had been under Cromwell. If the conditions essential for the free expansion of English

trade were secured, the more distant quarrels between the different trading companies in the East Indies and Africa might be matter for subsequent argument, and the dynastic claims of the House of Orange might be postponed to a more convenient season. With these clear aims before him, it was not found impossible by Clarendon to arrange a treaty between England and the United Provinces, which was signed at Westminster, in September, 1662. Each was to aid the other against rebels, and neither was to harbour fugitive rebels from the other Power. The naval supremacy of England was to be acknowledged by the lowering of the flag by Dutch vessels. The island of Polerone in the Malay Archipelago—an old subject of contention—was to be restored by Holland. There was to be full freedom of trade between the two Powers. The quarrels of the independent trading companies of each Power in Africa and the East Indies were not to involve war, but were to form subject of arbitration, and equitable settlement after a due interval. No dispute was to be revived which dated earlier than 1654, and later claims which were still outstanding were to be settled by Commissioners appointed by the two Powers. This last article alone was soon found to involve grounds of dissension far-reaching enough to have broken up the peace, even had no other irritating causes supervened.

But all other causes of hostility were of comparatively small importance compared with the essential and insuperable rivalry in colonial trade. It was in these new and expanding markets that the question of European commercial supremacy must be fought out. The command of them was of absolutely vital importance in the inevitable struggle for existence between the two nations. They were chiefly in the hands of great and independent companies working under the protection of either Power. These companies

were careless of international rights; zealous only to secure their own commercial monopoly, and certain of being backed up by all the resources of their own State. In England there were three of these great companies—the Turkey Company, the East India Company, and the Royal African Company. Each could rely upon powerful political support, and their ambitions were supported by the solid mass of England's commercial class. Early in the session, which began in March, 1664, the grievances from which English commerce suffered under the overweening insolence and repeated aggressions of the Dutch, were laid before Parliament. Heavy losses were alleged to have been suffered, and the dangers of the total decay of the trade were forcibly foretold. Parliament was not slow to take the alarm. Both Houses concurred in the resolution—

"That the wrongs, dishonours, and indignities done to his Majesty by the subjects of the United Provinces, by invading of his rights in India, Africa, and elsewhere, and the damages, affronts, and injuries done by them to our merchants, are the greatest obstruction of our foreign trade;"

and they prayed that speedy and effectual means should be taken for obtaining redress, and for preventing such injuries in future. It was clear that the national temper had been thoroughly aroused, and would insist on asserting itself. Clarendon's influence is seen in the moderation of Charles's reply. He approved their zeal and promised inquiry, but went no further than to undertake that his Minister should demand reparation, and take steps for the prevention of such wrongs in future.

The bellicose attitude of Parliament had given much alarm to the Dutch.

"The resolution of the two Houses of Parliament," writes Downing to Clarendon,[1] "is altogether beyond their

[1] Letter of April 29th, 1664.

expectation, and puts them to their wits' end." "Believe me," he goes on, "at the bottom of their hearts, they are sensible of the weight of a war with his Majesty."

The moderation of the King's reply served to allay the Dutchmen's fears of the imminence of war; but De Witt found it prudent to promise that he would do his utmost to meet the English demands. He expressed to Downing "with great appearing joy," his satisfaction with the King's reply; and said that "since his Majesty had so tenderly declared himself, he would upon that account condescend so much the more to give him satisfaction." Downing doubtless thought that the demand went unduly far in the direction of moderation. But if he had any fears that pacific motives would prevail, he was soon to be undeceived. For the moment war seemed to be averted. Louis XIV.—however he might wish to see the naval Powers exhaust themselves by mutual injuries—had no wish to see the outbreak of a war in which the Treaty rights of the Dutch warranted them in calling for his assistance, and he offered himself as a mediator. But both the disputants were drifting rapidly to the arbitrament of arms.

Downing had a powerful ally for his own warlike inclinations in the Duke of York. James was restless when deprived of opportunity of adding to his influence, and satisfying his chief ambition, by engaging in some warlike operation. He had already acquired some reputation, not without warrant, as a capable naval commander, and as a man of personal courage. He had little opportunity of political action in England, and a war with the Dutch not only promised vengeance for old grudges against the nation, but offered a good chance of winning new renown. He had other less creditable motives. He had taken an active part in the management of some of the great trading

companies, and was deeply interested in various colonial enterprises. In March, 1664, James obtained a grant of Long Island on the American coast—a territory nominally belonging to the English, but now, in default of their colonizing it, occupied by the Dutch, who had built a town called New Amsterdam. With the help of two ships of war, lent him by the Crown, the Duke organized an expedition to seize the island. The scanty Dutch colony could offer no effective resistance. Their town was ceded to the emissaries of the Duke, who changed its name to one destined to hold a large space in the history of the world. New Amsterdam became New York, as the result of a buccaneering raid, carried out by some three hundred men, hired by the Duke of York to prosecute a private proprietorial claim.

The Duke was also Governor of the African Trading Company, and this again brought him into even more serious conflict with the Dutch. That company had established its operations upon the Guinea coast before the Civil War, and had carried on a successful trade, which had been grievously interrupted by the troubles at home. The Dutch had, meanwhile, established a rival factory, and prosecuted their trade with such success as seriously to cripple that of England. After the Restoration, the company was re-organized, and the Duke being persuaded to become Governor, a Royal Charter was easily obtained. Those who knew the region were convinced of its promise; and high profits were confidently expected by bartering English goods against the gold and the slaves, of which the supply was so rich. The gold was brought in sufficient quantities to give the name of "Guineas" to a new designation in the English coinage; and the slaves were easily disposed of at a high price to other plantations in various parts of the globe. The only inconvenience arose from the hindrance which the Dutch could offer to English trade, by means of their own

superior trade organization, and the more suitable situation of their factory.

Once more the difficulty in the way of the Duke and his Company was settled by an armed raid. Exactly as in the case of New York, he "borrowed" two ships of war from the King, and sent an expedition under the command of Sir Robert Holmes, which, by a flagrant violation of every international right, seized the Dutch fort. The balance of wrong was thus roughly reversed. By an act of unwarrantable violence the Duke of York had fixed upon his own nation the burden of maintaining what amounted to piratical aggression; and he had done it—as Clarendon is obliged to allow—"without any authority, and without a shadow of justice,"[1]—solely in satisfaction of his own private rights as a company promoter. Clarendon's diplomacy was, of a truth, conducted under untoward circumstances! Between the filibustering of his royal son-in-law, and the deliberate exasperation of his accredited representative at the Hague, peace had become well-nigh hopeless. Under such conditions negotiations became tangled beyond the possibility of repair. De Witt recognized that no reparation for the wrong done at Cape Verde would be secured except by armed force. But in carrying out this purpose he still endeavoured to avoid any declaration of war. De Ruyter and the English Admiral Lawson were now cruising in the Mediterranean, on a joint expedition, for suppression of piracy, and for releasing the captives of Tunis and Algiers. De Ruyter secretly separated himself from his English ally, sailed for Cape Verde, and there took vengeance for the English aggression on the trading operations of the Dutch. It was an open breach of the stipulation of the Treaty, which required that reparation for colonial wrongs should be sought by peaceable arbitration. Clarendon had recognized fully

[1] Letter to Downing, October 28th, 1664.

that such reparation was due, and had instructed Downing to offer it. The elusive tactics of De Witt, and the armed intervention of De Ruyter, frustrated Clarendon's efforts for a peaceful settlement.

Already Clarendon's pronounced inclination for peace had earned for him the ill-will which the Duke of York's habitual sulkiness of temper was so apt to indulge. The King had given their due weight to the arguments of the Chancellor, and felt the danger which war would involve at once to his own authority at home, and to the position of England in Europe. This he had impressed upon his brother; and James rightly ascribed the King's backwardness to Clarendon, and found a convenient medium of remonstrance in his wife, whom he instructed to explain to her father the Duke's annoyance at finding him his chief opponent "in an affair upon which he knew his heart was so much set." [1] It was characteristic of James that he should deal with a matter of vital interest to the kingdom, as if it was the fitting subject of petty personal pique. Anne undertook the duty, and begged her father no longer to oppose the Duke. Clarendon told her that she "did not enough understand the importance of that affair;" but he would speak to the Duke about it. At their interview, James renewed his tone of personal annoyance, urged the expediency of the war, and above all complained that, as "he was engaged to pursue it," Clarendon should allow the world to see "how little credit he had with him."

Clarendon's reply was as dignified as it was candid. "He had no apprehension that any sober man in England, or his highness himself, should believe that he could fail in his duty to him, or that he would omit any opportunity to make it manifest, which he could never do without being a fool or a madman." But on the other hand he would never give

[1] *Life*, ii. 240.

advice, nor consent to anything, which his judgment and his conscience told him would be mischievous to the Crown and to the Kingdom, "though his royal highness, or the King himself, were inclined to it." From the first, the King, he told the Duke, had been "averse from any thought of this war;" but he did not deny that he had done all in his power to confirm the King in that opinion. A few too complacent friends, he told the Duke, might for the moment concur in his view; reflection would soon change their minds. "A few merchants, nor all the merchants in London, were not the city of London, which had had war enough, and could only become rich by peace." The hopes of a liberal grant from Parliament were delusions. He was old enough to remember what had been the fate of James I., who had been tempted "to enter into a war with Spain, upon promise of ample supplies; and yet when he was engaged in it, they gave him no more supply, so that at last the Crown was compelled to accept of a peace not very honourable;" and, Clarendon might have added, to begin that long struggle over supply which had led to the Rebellion.

Clarendon's plain speaking did not end here. The Duke plumed himself upon his military prowess, and was eager for the war because of the laurels which he believed it had in store for him. With a better appreciation of his son-in-law's abilities, Clarendon begged him to reflect "upon the want of able men to conduct the counsels upon which such a war must be carried on." For a time it had seemed as if the Duke were ready to listen to reason, and there had been less talk of war; but the recent aggressions on both sides had dispelled such hopes. De Ruyter had inflicted heavy injury on the English merchants on the African Coast. This was answered by an attack by Prince Rupert's fleet upon the Dutch merchantmen in the Channel. War had virtually begun, in spite of all the

Chancellor's counsels of prudence, and all his warnings of the imminent danger. Specious proposals for a settlement were now too late.

"Though I am very glad," wrote Clarendon to Downing,[1] "to find any temperate and sober considerations, which dispose that people to peace, I wish they had entertained it sooner, for I scarce see time left for such a disquisition as is necessary. They have too insolently provoked the King to such an expense, that fighting is thought the better husbandry."

It was now needful to apply to Parliament, which met on November 24th. Clarendon was again prostrated by a severe attack of gout, and could not himself appear in Parliament; but a narrative in writing, which was to be the basis for asking for a liberal grant, was laid before the House. The treachery of the Dutch and their open aggressions were exposed; and as the King was thus "forced to put himself in the posture he is now in for the defence of his subjects at so vast an expense," he trusted that Parliament "would cheerfully enable him to prosecute the war with the same vigour he hath prepared for it, by giving him supplies proportionate to the charge thereof."

Those very men, such as Bennet and Coventry, who had chiefly urged the war, were now backward in risking their popularity by asking for an adequate grant. It was left to Clarendon and Southampton to urge that the amount to be asked for should be commensurate with the vastness of the undertaking, and that the resolution of the King and his subjects, to carry out the great task to which they had applied themselves, should be proved to the world by an abundant supply. This they could not reckon at less than two millions and a half. It was an unprecedented charge, and must necessarily strain the relations between

[1] Letter of October 28th, 1664.

the Crown and the Parliament, and stimulate that very discontent which Clarendon knew to be slumbering and ready to break out.

When Parliament came to consider the matter, there was no apparent lack of zeal, but there was, amongst the crowd of private members, no one ready to name a sum. The Chancellor and the Treasurer had prepared for this, by consultations with two or three members of established reputation and of weight in the House and the country; and after an ominous pause, Sir Robert Paston, one of these members, proposed that "the present supply ought to be such as might as well terrify the enemy as assist the King, and that it should therefore be two millions and a half." "The silence of the House," Clarendon proceeds in his narrative, "was not broken." Some one, "who was believed to wish well to the King"—with that sort of well-wishing which characterized the time-serving of Bennet and his confederates—moved that the grant should be much smaller. But those who had been prepared by Clarendon manfully backed the suggestion of Sir Robert Paston; and it was carried by a majority of 172 to 102 in the grudging silence of those who dreaded lest such a grant might secure Clarendon against the odium of repeated applications to the generosity of Parliament. The very men who had secretly opposed it, were not ashamed now, in view of this lavish grant, to stimulate the King to a new warlike zeal, and to confirm the hostile inclinations of the nation at large.

"There appeared," says Clarendon, "great joy and exaltation of spirit upon this vote, and not more in the Court than upon the exchange, the merchants being unskilfully inclined to that war, above what their true interest could invite them to, as in a short time afterwards they had cause to confess." [1]

[1] *Life*, ii. 311.

Clarendon's prophetic fears were not diminished as time went on. He knew well how quickly such warlike zeal as now prevailed would spend itself, when the burdens of war were felt, and when the interference with commerce made those burdens all the harder. He had good reason to know the corruption that prevailed in the dockyards, and how soon money would melt away in the hands of those who took care that all warlike preparations should yield an abundant harvest of illegal gain to those engaged in them. But the die was now cast, and on February 22nd, 1665, war was declared. Never was hazard run with more reckless thoughtlessness, and with less of a spirit of stern resolution, and of that mood that could brace the nation to such work. The Chancellor knew well that he had lost the confidence of the King, and he was under no delusion as to what loss of confidence involved with one so selfish and so unprincipled as Charles. Never had the Court stood so low in the estimation of all that was soundest in the nation. Clarendon's own words bear the impress of his misgivings.

"All serious and prudent men took it as an ill presage, that whilst all warlike preparations were made in abundance suitable to the occasion, there should be so little preparation of spirit for a war against an enemy, who might possibly be without some of our virtues, but assuredly was without any of our vices." [1]

It is hard to estimate the burden of bitter disappointment that is compressed into these words.

At the Admiralty, and in the dockyards, there was activity enough. There was one, the candid pages of whose secret diary have given us a faithful picture of the business, and who was no insignificant part of the administrative machine. Month by month Pepys was earning more of his

[1] *Life*, ii. 352.

own genial self-approbation by acquiring new consideration, and by his growing mastery of Admiralty business. Month by month he found his little store waxing larger, by gains more or less legitimate, and his official importance enhanced by devices which were not always very high-principled. But the English fleet would have been far better equipped than it was, had those in higher places shown half the energy of Samuel Pepys, had their peculations been kept within his limits, had their stratagems been controlled even by his occasional respect for principle, and had their characters been tainted by no more than his fantastic vanity, and his schoolboy debauchery. Day by day, with all his uncontrolled propensity for carouses, with all his lively taste for gossip, with all his gallantries and all his petty selfishness, Pepys shows us how manfully he struggled to make his work efficient, how often he strove successfully against profusion, and peculation, and hopeless mismanagement, and how he managed to steer his way safely amidst the jealousies, and corruptions, and gross jobberies of those under whom he served. There is something dramatic in comparing the record of his struggle with details that Pepys has left us, with the picture of hopeless corruption which revealed itself to Clarendon, standing at the other end of the official ladder. Under the patronage of the Duke, there was a little knot of men, who regarded the Admiralty chiefly as a field where they could reap a rich harvest of illegal gains. Coventry had now established for himself a control over all appointments. His agent was Sir William Penn, who had failed to rise to Cromwell's standard of efficiency, and had found himself discarded, and a prisoner in the Tower, after his defeat at St. Domingo, but who had managed to creep back into employment by cultivating the new powers. These two carried on a shameless, although well-recognized, sale of offices, and disarmed all criticism that

might be dangerous by sharing their ill-gotten booty amongst a wide circle of confederates, of whom that model of chivalry, Sir Charles Berkeley, was one of the chief.

"This was the best husbandry he (Coventry) could have used; for by this means all men's mouths were stopped, and all clamour secured; whilst the lesser sums for a multitude of officers of all kinds were reserved to himself, which, in the estimation of those who were at no great distance, amounted to a very great sum, and more than any officer under the King could possibly get by all the perquisites of his office in many years." [1]

Thefts and embezzlements became almost acknowledged practices, and as each ship returned, its equipments were shamelessly sold by the Admiralty representatives, and the proceeds divided amongst the officers.

"When this was discovered (as many times it was) and the criminal person apprehended, it was alleged by him as excuse 'that he had paid so dear for his place, that he could not maintain himself and his family, without practising such shifts;' and none of these fellows were ever brought to exemplary justice, and most of them were restored to their employments." [2]

We have the picture painted from below and from above; and as we look on it, the wonder is, not that the pressure of the war was great, and its successes meagre, but rather that disasters did not crowd upon us more thickly. The conduct of the war does not, of course, belong to the life of Clarendon.[3] We have hitherto seen only his efforts to stay its outbreak, and the despairing thoughts, which the prospect of the danger, and the recklessness with which it was met, provoked in him. It was part of his business to try to organize some sort of alliances abroad, which might counteract the

[1] *Life*, ii. 330. [2] *Life*, ii. 329.

[3] "They who contrived the war had the entire conducting of it, and were the sole causes of all the ill effects of it" (*Life*, ii. 325).

influence of De Witt. Denmark and Sweden had every reason to oppose the growing commercial power of the Dutch, and to help in any scheme for checking it. But they were divided by mutual jealousies, and their alliance could hardly be gained jointly for the English Crown. Henry Coventry, whose talents and character Clarendon esteemed very differently from those of his brother Sir William, was envoy to Sweden, and managed to secure at least temporary neutrality from that Power, as did Sir Gilbert Talbot from Denmark. But time soon showed that any hope of effective alliance was vain. The warlike Bishop of Munster did, indeed, find it convenient to avenge his own wrongs by attacking the United Provinces, and by acting in conjunction with England. But such an ally was not a source of much strength, and it might well be doubted whether his co-operation was worth the very considerable subsidy which he demanded, of two hundred and fifty thousand pounds. In truth, it soon became evident enough that England must rely upon herself alone, and that a still greater danger lurked in the background, in the doubtful neutrality, and very probable hostility, of France. Amidst this gathering cloud of unfriendliness, a new source of enmity was started by the extensive resort to privateering on the part of England, the danger of which Clarendon fully perceived. He had no words too strong to condemn this practice.

"They (the privateers) are a people, how countenanced so ever or thought necessary, that do bring an unavoidable scandal, and it is to be feared a curse, upon the justest war that was ever made at sea. A sail! A sail! is the word with them: friend or foe is the same; they possess all they can master, and run with it to any obscure place where they can sell it (which retreats are never wanting) and never attend the ceremony of an adjudication." [1]

[1] *Life*, ii. 335. We must not forget that Clarendon had himself suffered from these licensed robbers, and bore them a grudge.

The resort to privateering drew upon England the hatred of every trading company in Europe; but what was still worse, the career it opened was a far more lucrative one than that offered by the royal navy, and recruiting was fatally injured so long as the prospect of uncounted booty lay open to those who sailed as privateers. More fatal still, any opposition to it was interpreted by the little knot of the Duke's *protégés* as a personal disloyalty. "Whoever spake against those lewd people, upon any case whatsoever, was thought to have no regard for the Duke's profit, nor to desire to weaken the enemy." [1]

There was another innovation, adopted in the interests of this nest of shameless pilferers, who throve under the Duke's protection. It was in vain that Clarendon remonstrated, and appealed either to constitutional precedent, or to the prudence and the self-interest of the King. Heavy as had been the burden of taxation caused by the war, hopes had been raised that the prices realized by the sale of captured vessels and goods would, soon after the beginning of the war, yield revenue enough to go far to meet the cost. "After one good fleet should be set out to beat the Dutch, the prizes, which would every day after be taken, would plentifully do all the rest"—such was the confident prediction. It would, under no circumstances, have been realized. But in previous wars a strict account had been kept. Commissioners were appointed for the sale of prizes, and they were bound to account for every penny received. Such a course no longer met the views of Charles and of those who now had his confidence.

The new design for dealing with these prizes of war was sprung without warning upon the Chancellor, and with circumstances that might have stirred a temper less quick than his. One evening a servant of Lord Ashley brought

[1] *Life*, ii. 336.

to the Chancellor a warrant, the object of which was to constitute Lord Ashley Treasurer of all the monies raised upon prizes of war, to assign to him the patronage of all offices necessary for the service, to make him accountable to none but the King, and to direct him to pay out all such monies as the King should order. To this warrant the Chancellor was requested to affix the seal that evening. Clarendon replied that he would speak with the King before he sealed the grant.

The purport of such an order was only too clear. The prize money was not to be spent in mitigating the heavy burden of taxation, but was to be administered according to the caprices of the King, in the ignoble expenses of his Court, and through the hands of an unscrupulous clique, whose peculations would thus be completely concealed. It is an indication of the inveterate prejudice which has infected the Whig historians of the period, that this scandalous iniquity has been glozed over, or, at the most, timidly criticized. Ashley was a Whig, and the friend of Whig philosophers. His falsehoods, his treacheries, his flagrant acts of peculation, are therefore to be veiled under a discreet silence, or visited with condemnation that is lightened by profuse apology. It is surely time that this pharisaicism of party prejudice should be shaken off.[1] Ashley was primarily responsible for a scandalous fraud and an indecent robbery of the public purse, for which not a shadow of defence can be offered. He became the head of a gang of ignoble tricksters, who stooped to be pandars to their royal master's pleasures, at the price of sharing the fruits of public plunder, and with the aim of undermining the influence of the Minister whose rectitude shamed them. The fact that Ashley

[1] It is a perpetual amusement to contrast the timid condemnation with which such a Whig as Lister visits the turpitudes of such as Ashley, with the solemn lectures poured out over any deviation in the case of Clarendon from the accepted standard of Whig orthodoxy.

was a friend of John Locke does not lessen his turpitude by one jot.

Clarendon's remonstrance with the King was as plain spoken as usual. He "doubted that his Majesty had been surprised; it was not only unprecedented, but in many particulars destructive to his services and to the rights of other men." It was an insult to the Lord Treasurer, whose prerogatives it invaded; and lastly, it was fraught with great danger to Ashley himself. The King was brought to consent to the suspension of the warrant; for the rest, he was obstinate. "It would bring prejudice only to himself, which he had sufficiently provided against." Clarendon did not give up the fight. He remonstrated with Ashley, who of all men might have avoided being the medium of a slight upon Southampton, whose niece he had married, and to whose good offices he owed his first advancement; but was met only by sulky obstinacy. He endeavoured to arouse Southampton; but the Treasurer was old and apathetic, and unwilling to engage in new struggles. It was a sign of Clarendon's decaying influence, that all his efforts were in vain. He received a positive order from the King that the Commission should be signed, and he felt it no longer possible to refuse. It is easy for us, judging when the spirit of the constitution has been changed, to condemn Clarendon for not throwing up his office, in the face of such rejection of his advice. It is enough to say that such action would have been deemed by Clarendon himself to be a dereliction of his duty. By all the memories of the past, by his affectionate reverence for his former master, by long association in the days of exile and misfortune—nay, also by his profound veneration for the Crown—Clarendon felt that it was his duty to remain in the service of Charles II. to the end, and to defend the King his master, even against his most deadly enemies, his own selfishness and lack of

principle. The easy and convenient method of resignation, sanctioned now by long constitutional usage, was—or seemed to himself to be—impossible to Clarendon. Had it been otherwise, how welcome would such release have been to the weary, disgusted, and despairing statesman!

We have thus seen how Clarendon was driven along, against all his better judgment, in spite of all his remonstrances, by an insane current of warlike frenzy, amidst which his warnings were unheard, and where a small clique exploited the prevalent commercial jealousies, as a means of bringing satisfaction to their own selfish schemes of greed and ambition. We have seen how he strove vainly to moderate international hatred, to compose topics of quarrel, and to bring about a pacific settlement. We have noted his efforts to obtain alliances with, or at least neutrality on the part of, neighbouring Powers, and how cautiously he watched each movement of France, whose adhesion to England's foes might be so full of danger. We have learned his estimate of the cost, and how fully he realized that for the Crown to enter on war without ample supplies, was the certain precursor of a new Parliamentary struggle more keen and more fatal than the last; and we have seen how he managed, in spite of opposition at Court, to secure an unprecedented grant. We have seen how convinced he was of the corruption and mismanagement of the navy, and with what thoughtless lack of preparation we were entering upon a fierce struggle with a foe that fought for very life. We have seen how, even at the entry upon the war, Clarendon found that no remonstrances of his could prevent a huge asset, in the prizes of war, being handed over to a corrupt clique, to be dissipated in grants that were at once illegal in method, and degrading in effect. The incidents of the war do not belong to Clarendon's life, except

as they presented new problems for statesmanship, or gave opportunities for attempting accommodation.

At the opening of the war, and in spite of all that hindered efficient work, the fleet was organized upon a scale unknown before. The Duke of York was in command, and under the influence of the outburst of warlike fervour, the nobility hastened to join the fleet as volunteers. Some 30,000 men manned the ships, and the Duke found himself at the head of a hundred sail. The Dutch, who were commanded by Opdam, were in no less ardent mood, and both sides were equally eager for an engagement. They soon got into touch with one another; and in June, 1665, and after some tentative attacks, a general engagement took place in Southwold Bay, off the coast of Suffolk, on the 3rd of that month. The result was a great victory for the English fleet. The Dutch lost some twenty ships, and 10,000 men in killed and prisoners. On the English side some 800 men were killed, and not a few of the leading men who had volunteered for the war fell in the fight. Amongst them was the new Earl of Falmouth,[1] whose loss produced a grief on the part of Charles, for which those who had known its object were at a loss to account. A far more serious loss to the nation was that of Admiral Lawson, the very model of the best type of English sailor. He had borne the brunt of naval warfare under Blake in Cromwell's day, had materially helped to bring about the Restoration settlement, and was one of the few who played his part in that work without thought of personal aggrandizement; and he had maintained the older traditions of naval discipline against the newer school who scorned the roughness of the older type. Clarendon's simple words are his best epitaph, and they are none the less

[1] Sir Charles Berkeley, whose name has emerged in our narrative in no honourable guise, had the year before been created Lord Harding, and soon after Earl of Falmouth. At the same time, Bennet, another of the ignoble clique, became Lord Arlington.

sincere because they were written of one who was an ardent Independent: "He performed to his death all that could be expected from a brave and an honest man."

The victory was a notable one, but the chance it offered of completely destroying the Dutch fleet was lost by stupid bungling on the part of the Duke of York or some one in his suite. The remnants of the Dutch fleet were making for harbour, and could easily have been overtaken by the pursuers; but for some reason never well explained—probably some timid order given by his attendant, Brouncker, in order to lessen the risk to the Duke, or, more strange still, in order not to disturb his sleep—a command was issued to slacken sail, and the fugitives escaped. The story was never cleared up, but reasons of policy brought about an order that, as heir to the Crown, the Duke should not again assume active command.

This success, incomplete as it was, might have seemed to offer a good opportunity for coming to a settlement, and again Louis XIV. was ready to give his services in the capacity of peacemaker. The Dutch were still obstinate and extravagant in their demands. But the policy of Louis was suddenly changed by the death of the King of Spain, by the new prospects which were thus opened to him, and by his hopes to secure the assistance of the Dutch in seizing Flanders. In the autumn of 1665, France was obviously ready to sacrifice the friendship of England for this new alliance. Never was the prospect more threatening. The burden of the war had been terribly severe. To that burden was added the grievous scourge of the plague now raging in London, with such intensity that it claimed 10,000 victims in one week. When in October, 1665, Clarendon laid before Parliament a narrative of the war, and asked for new supplies, the outlook for England was dark indeed. The appeal was met generously, and a new grant of £1,250,000

was voted. But the King's Ministers had to face the probability of an almost solid alliance against them. The resources of the Bishop of Munster were exhausted, and in no case could he maintain himself in the field when greater Powers intervened. Sweden and Denmark were at best but doubtful friends. France saw her opportunity. She urged that the King of England should formulate his demands against the Dutch, and so permit France to mediate and thus stop a war which was interfering with the trade of Europe, and in which the excesses of the privateers had inflicted heavy damages upon French merchantmen. The intervention of France assumed a more and more threatening aspect. At length, Clarendon had to make a firm stand against the attitude assumed. The words he uses are grave and dignified.

" The counsellors of the King told the French Ambassadors that their master had very well considered the disadvantage he must undergo by the access of so powerful a friend, and of whose friendship he thought himself possessed, to the part of his enemies who were too insolent already; to prevent it, he would do anything that would consist with the dignity of a King; but that he must be laughed at and despised by all the world, if he should consent to make him arbitrator of the differences, who had already declared himself to be a party; that such menaces would make no impression in the last article of danger that could befall the King." [1]

The conference broke off with no doubt in the mind of Clarendon that France was resolved on war. When the Council was called to consider the situation " there was," he says, " no one present who had not a deep apprehension of the extreme damage and danger that must fall upon the King's affairs, if at this juncture France should declare war against England." But however much he withstood the

[1] *Life*, ii. 437.

outbreak of the war, it was not consistent with Clarendon's mood to yield in presence of danger.

Meanwhile no further successes had attended the prosecution of the war. By means of Henry Coventry and Talbot, efforts were still made to bind Sweden and Denmark closer to England, and in July, a scheme had been arranged by which the Dutch fleet of East Indian merchantmen, while in the harbour of Bergen, should be handed over to Lord Sandwich, who had now succeeded the Duke of York as Commander of the English fleet. The plan was not one that reflected much credit on any of those engaged in it; and it was not crowned by the atoning quality of even partial success. The Dutch showed fight, the citizens of Bergen resented the attack by the English fleet, contradictory or dilatory orders produced doubt and confusion, and the damage and loss were distributed equally amongst the attackers and the attacked. De Ruyter drew off with his convoy, and Sandwich returned from a bootless errand. France managed to detach Denmark from England, and to bring about a treaty with the Dutch which bound Denmark to assist Holland against England. Sweden remained at best a half-hearted friend.

Sandwich was injured at once by his failure at Bergen and by a peculiarly ill-conducted case of mal-appropriation of prizes, of which he was guilty.[1] He was sent as ambassador to Spain, and Prince Rupert and the Duke of Albemarle were appointed to joint command of the fleet. The "affection and unquestionable courage of Prince Rupert were not doubted"—so Clarendon said when arranging the matter with Albemarle—"but the King was not sure that

[1] Sandwich had never been a close adherent of Clarendon. But Clarendon is generous enough, in this crisis of his fortunes, to defend him against his enemies, and to acquit him of all but a somewhat awkward exercise of a right of perquisites. In Clarendon's eyes, he had the saving merit of being attacked by Coventry. See *post*, p. 235.

the quickness of his spirit, and the strength of his passion, might not sometimes stand in need of a friend, who should be in equal authority with him." [1] The combination did not answer well. By a fatal error—not improbably induced by Rupert's desire for independent action—the fleet was broken up, and the Prince sailed, on the credit of a false report, to meet a French fleet under Admiral Beaufort. While he was thus detached, Albemarle was attacked by the Dutch fleet, and escaped only with heavy loss. A month or two later a portion of the English fleet attacked Schelling—a sea-port on the Zuyder Zee—and burned a fleet of merchantmen and the town itself.

"The conflagration, with that of the ships, appearing at the break of day so near Amsterdam, put that place into that consternation that they thought the day of judgment was come, and thinking of their ships there as being out of the power and reach of any enemy; and no doubt it was the greatest loss that State sustained in the whole war." [2]

But it was a costly success; "it raised great thoughts of heart in De Witt, and a resolution of revenge before any peace should be thought of," [3] and it did not materially improve the position for England.

To the burden of the plague and of war there was now added—in September, 1666—the calamity of the Great Fire of London. Clarendon was not disposed to accept humiliating terms, but prudence forbade him to reject openings for peace. Charles offered in January, 1667, to send an embassy to the Hague to treat of peace. The place was selected because it was believed that there the party of the Prince of Orange might best balance the influence of De Witt, and give an impulse to the peace negotiations.

[1] *Life*, ii. 485. In these words, Clarendon no doubt expressed some lively memories of the days of the Civil War.

[2] *Life*, iii. 80.

[3] *Ibid.*

Delay was caused by other places being proposed in its stead, but there was no unwillingness to enter upon negotiations. These, however, received their chief impulse from the separate proposals for a treaty between England and France. These proposals had at first been made through the Queen-Mother, Henrietta Maria; but at a later stage the Earl of St. Albans (Jermyn) was deputed to act for the King. The wheels of the negotiations drove heavily, and suspicion clogged the proceedings on both sides; but it became clear that both sides desired peace. Breda was now named, on the suggestion of the English King, as the meeting-place for the wider negotiations, and was accepted by the Dutch. But their intentions were still doubtful, and even when the negotiations opened at Breda, in May, 1667, they absolutely declined a proposal for a cessation of hostilities pending the negotiations. De Witt had not yet given up "the great thoughts of heart" that the burning of Schelling had raised, nor had he dismissed his "resolution of revenge before any peace should be thought of." He was not without hope from the state of the English fleet; he knew well that the English Treasury was in no position to meet new outlays; and he counted upon the depression caused by pestilence and the Fire. The city would be hard put to it to advance money on the credit of the supplies newly voted.

As a fact, the largest ships of the fleet were actually laid up. Only the lighter vessels which could act against the enemy's merchantmen were kept in commission, and the necessary defences of the kingdom were reduced to a minimum, in reckless reliance on the speedy conclusion of the peace negotiations. It was that prime object of Clarendon's dislike, Sir William Coventry, who was responsible for this act of treasonable neglect. Such was the position, when De Ruyter's fleet appeared at the Nore on June 10th,

1667. The Dutch Fleet divided; one division moved up to Gravesend; another broke through the defences of the Medway,[1] burned the guardships, captured the first-class warship, the *Royal Charles*, and next day pursued their advantage further, and burned three more first-class ships of war. The guns were heard in London, and for the first time for six hundred years, the way seemed open for the invader. The citizens of London realized the straits to which the folly of their rulers had brought them.[2]

These exploits, serious as they were, marked the limit of the Dutch success. Their memory would not soon be wiped out, and they inflicted a sore wound upon the pride of England. But De Witt could not hazard the impossible. Other attempts were made elsewhere—at Portsmouth and at Plymouth—but they were easily repelled. Even De Witt could feel that his resolution of revenge was satisfied, and he allowed the negotiations at Breda to proceed. On July 21st, treaties were there signed with France, with Holland, and with Denmark. Peace was based upon the maintenance of the *status quo;* no cession of territory was to take place. The rights of commerce and of navigation were to be as provided by the treaty of 1662. Never was a costly and devastating war entered upon more recklessly, conducted, on our side at least, with more helpless inefficiency, and closed with a smaller result in any change which it

[1] Works were in progress at Sheerness, and the King had visited the place, and given orders for new fortifications. The Commissioners of the Admiralty had been too busy with peculations to carry them out.

[2] Disastrous and disgraceful as was the episode, the alarm and confusion which it caused at Court seemed to Clarendon even more degrading. "All they who had most advanced the war and reproached all who had been against it, as men who had no public spirit, and were not solicitous for the honour and glory of the nation; and who had never spoken of the Dutch but with scorn and contempt, as a nation rather worthy to be cudgelled than fought with, were now the most dejected men, railed very bitterly at those who had advised the King to enter into that war—and wished that a peace, as the only hope, were made on any terms" (*Life*, iii. 251). The braggart repeats himself in all ages and all nations.

effected. The people of England accepted peace as a relief; they found in it neither honour, nor compensation for their heavy loss.

A point of no little importance may be noted before we conclude the narrative of this disastrous war, to which Clarendon was so bitterly opposed, and for which he was afterwards so unjustly blamed. Before the negotiations were completed, while the impression of the bold attack of De Witt was still heavy upon the country, and when his ships still threatened the dockyards and the home counties bordering on the Thames, a constitutional question of some difficulty arose. It was necessary suddenly to levy troops and incur heavy expenses for the defences of each bank of the river. No provision had been made for this, and Parliament was prorogued until October 20th. It was debated in Council whether Parliament could be summoned in anticipation of that date, or how otherwise money could be obtained. Clarendon saw that the meeting of Parliament could only increase the prevailing alarm, that it might lead to serious confusion, and that as a means of obtaining money, its grants would be so delayed as to be useless. For himself he held that Parliament could not legally be summoned in advance of the date proclaimed; and he strongly urged that money could be legally provided by way of loan, to be deducted from next assessment. After full debate the point was decided contrary to his advice: but fortunately before Parliament met, the peace had been concluded, and the emergency was gone. The vexed question of special supplies, and of the extraordinary powers of the Crown, was thus luckily avoided. But Clarendon's contention was soon to form a good handle of attack to his enemies.

CHAPTER XXII

ADMINISTRATIVE FRICTION

In order to be a great Foreign Minister, a statesman must follow one of two courses. He must either hold the internal affairs of the country in a grasp of iron, so securely as to impose an effectual guard against their ever becoming a source of trouble or agitation; or else he must abandon these affairs to a knot of subsidiary and secondary agents, who will be content to steer strictly according to the course which he has laid down. Cromwell is a good specimen of the first; Chatham is the most conspicuous example of the second. Circumstances did not allow Clarendon to pursue either course, and his efforts to guide his country through the stormy sea of foreign politics were foredoomed to failure. He could look back with little satisfaction on the waste of life and treasure in the war now closed. He was thwarted by a crowd of jealous intriguers at home, and his intentions and directions as to foreign politics were often set aside by such an agent as Downing.

But from foreign affairs we have now to turn to those matters of internal politics which had necessarily occupied much of Clarendon's attention while the war was in progress. Here, again, he had to tread a thorny path. It seemed as if there was no possible source of mischief which did not add something to his troubles. He saw that the recklessness of the courtiers was breeding irritation and contempt towards the Crown, and weakening the nerves and sinews of the nation.

All he could now hope for in the King was, that he might to some extent hide the scandals of his Court, and not be entirely led away by the more dangerous spirits in it. Efficient aid from his master, Clarendon had ceased to expect; it would be well if the worst gang amongst the courtiers could at least be persuaded to interfere as little as might be with affairs of State.

Meanwhile the signs of widespread disaffection were clearly visible to Clarendon, and the existence of dangerous conspiracies was confirmed by the strongest evidence. These were not the less threatening because they were disseminated throughout the most dissimilar sections of society, and were actuated by the most opposite aims. The wilder sects of the Independents were avowedly animated by revolutionary schemes, and violent preachers advocated them in their "congregated churches," where they regularly assembled, in various parts of London, and stirred one another to frenzy by aspirations for the rule of the saints. Restless discontent, disappointed ambition, the jealousy of jarring factions at Court, all found ready instruments in the enthusiasts who revived many of the strange vagaries of doctrine that had been rife during the Civil War. Anabaptists and Millenarians, Fifth-monarchy men and Levellers—all were mingled together in the cauldron of religious and political frenzy. The reckless vanity of a courtier like Buckingham found it useful to cultivate the good-will of the more ardent sectaries. The Civil War had left an ample crop of bravos, who were to be hired for any outrage, and whose excesses added to the restless uneasiness that prevailed, and that made men nervously apprehensive of revolution. The religious enthusiast, and the blustering cut-throat of Alsatia, were equally open to the persuasions of any turbulent faction which sought to defy the law. The forces of order which Clarendon commanded were but

scanty. The elements of turbulence were overwhelming in number, and were weakened only by their confusion and diversity. It was not Clarendon alone who saw and dreaded the danger of disturbance. His fears were shared even by those counsellors, such as Clifford and Arlington, who were his jealous opponents; and it was only too evident how many sources of combustion went to feed the flame of discontent. The Presbyterians, however little in sympathy with the aims of the wilder sectaries, were bitterly disappointed at the ecclesiastical settlement, and deemed that their Royalist leanings had been rewarded by the basest ingratitude. The burden of taxation was excessive, and its irksomeness was sorely aggravated by the added misfortunes of the Plague and the Fire. The confidence of the city was shaken, and the monied men shrank from making advances to a discredited administration. Even those amongst the opponents of the Court for whom the title of patriot has been claimed—perhaps on flimsy grounds,—were not ashamed to negotiate with the French King, or the Dutch Pensionary, and to offer their services to the enemies of their country.[1] It seemed as if every evil which Divine vengeance, religious frenzy, human folly, foreign enemies abroad, and deep-rooted political discontent at home, could engender, were poured out into the welter of confusion that reigned in England during these unhappy years. In such a turbid flood had Clarendon to steer the ship of State.

It was this general confusion, and the dangers which it threatened, that formed the theme of the King's Speech to Parliament at the opening of the session in March, 1664. That Speech was doubtless composed by Clarendon, and may

[1] On June 9, 1665, Downing writes to Clarendon that Algernon Sidney was at Breda, disguised as a Frenchman, on his way to the Hague; and that "others of that gang" were flocking to the Dutch as enthusiastic allies.

be taken as expressing his views.[1] "The spirits of many of our old enemies," it said, "were still active." Old conspiracies, detected in the capital, had shown themselves once more in the provinces.

"The malcontents were still pursuing the same consultation, and have correspondence with desperate persons in most counties, and a standing council in the metropolis, from which they receive their directions, and by whom they were advised to defer their last intended insurrection." "These desperate men," he proceeded, "have not been all of one mind in the ways of carrying on their wicked resolutions. Some would still insist upon the authority of the Long Parliament, of which, they say, they have members enough willing to meet; others have fancied to themselves by some computation of their own, upon some clause of the Triennial Bill, that this present Parliament was at an end some months since; and that, for want of new writs, they may assemble themselves and choose members of Parliament."

Then follows a passage which has caused much searching of hearts amongst our Whig historians.

"I confess to you, my Lords and Gentlemen, I have often myself read over that Bill; and though there is no colour for the fancy of the determination of this Parliament, yet I will not deny to you, that I have always expected that you would, and even wondered that you have not considered the wonderful clauses of the Bill, which passed in a time very uncareful for the dignity of the Crown, or the security of the people. . . . I need not tell you how much I love Parliaments. Never King was so much beholden to Parliaments as I have been, nor do I think the Crown can ever be happy without frequent Parliaments. But, assure yourselves, if I should think otherwise, I could never suffer a Parliament to come together by the means prescribed in that Bill."[2]

[1] It is given by Clarendon (*Life*, ii. 281) with a fullness which proves that he had the notes of it still in his possession.

[2] In a note upon this passage, Mr. Lister assumes that it means only that the King pledged himself to summon a Parliament within the prescribed

It is absurd to think it needful either to explain away such a plain statement of policy, or to attribute to its author any constitutional crime. The King declared his intention to have constant recourse to Parliaments. But he also declared, with good reason, not only that he gave no weight whatever to the baseless assumption that a new Parliament must be elected every three years, but also that he would never feel himself justified, by the provisions of an Act of Parliament passed under evil auspices, in permitting a Parliament to be elected under conditions which necessarily implied a complete subversion of every constitutional principle. There is such a thing as pedantic reverence for statute law. It is perfectly clear that a statute which provided that electors might proceed themselves to elect their representatives, and that sovereign power should be committed to these representatives, virtually assumes a state of anarchy to prevail. No constituted authority could, consistently with its fundamental duty, ever contemplate a case in which it could voluntarily permit such procedure. Far from proclaiming an intention to infringe the constitution, Charles only uttered a commonplace of administrative duty. It is perfectly clear that to permit the course indicated in the Triennial Act would be to bring into being not one Parliament, but as many Parliaments as there were different factions in the country, free to meet together and chose their own representatives as and how they pleased. In such a case effective government would have ceased to exist.

time, rather than allow it to meet by the operation of the Act; but that he did not contemplate anything but submission to the Act, in the event of failure of such summons. He differs—with some hesitation—from Mr. Hallam, who stigmatizes it as "an audacious declaration, equivalent to an avowed design, in certain circumstances, of preventing the execution of the laws by force of arms"—a declaration such as "was never before heard from the lips of an English King." We take the liberty of agreeing with Hallam's interpretation as against Lister's, but of dissenting from Hallam's estimate of the culpability of the avowal.

The Speech from the Throne had at least the desired effect. The Bill for the repeal of the Triennial Act passed rapidly through both Houses. Parliament was not to be intermitted for more than three years; but the enactment was buttressed by none of the obnoxious provisions of the previous Act, which would have preserved the fiction of a free Parliament by a resort to the methods of anarchy, and by assuming that such methods were consistent with constitutional and settled government.

But further measures appeared necessary to secure the safety of Church and Crown. Alarm had been created by the threatening tone of the addresses in the "congregated churches," where the preachers drew their most effective metaphors from the language of the camp and the battlefield, and where he was heard with most reverence who depicted in the most lurid language the doom which overhung the Court and the Church, and of which it was the duty of every devout enthusiast to make himself the instrument. To check this it was deemed necessary to proscribe Conventicles, and a new Bill was introduced, and rapidly passed, declaring any meeting of more than five persons for religious services, otherwise than in accordance with the Liturgy of the Church, to be "a seditious and unlawful conventicle." The penalty for attendance was, in the case of a first offender, to be a fine of five pounds, or three months' imprisonment; ten pounds, or six months for a second offence; and thereafter transportation, or a fine of one hundred pounds. It is, of course, easy to denounce this Act on the specious and readily accepted principle of religious toleration. But, as it met with no opposition in a Parliament where there was already a party prepared to thwart the measures of the Court, we must assume that the general sense of danger appeared to justify it beyond possibility of contradiction. We must at least not forget, in judging the

justification of the Act, that it embodied the same principles which were applied until the last quarter of the eighteenth century, under a succession of Whig administrations, to assemblies of Episcopalian adherents in Scotland, and of Roman Catholics in both countries. If the principle of religious toleration is to be a universal guide, it is difficult to say why the maxims it enjoins should be held to apply only in the case of Presbyterians and Independents. Whatever the blame to be measured out to the promoters of the Act, there is no ground for exempting Clarendon from his share of responsibility. Our estimate of the weight of that responsibility will vary according as we judge the real danger of the situation. That there was widespread and implacable disaffection, there can be no reasonable doubt. That it was fostered to a very large extent by the earnest sympathy, and the stimulating harangues, of the sectarian preachers, admits of just as little doubt. Rumours of plots were thickening day by day. Evidence was forthcoming of a plan for seizing the Tower, and one, Colonel Danvers, who was concerned in it, was rescued from the hands of the King's officers by open force.[1] The Plague not unnaturally increased the panic that prevailed; and the air seemed darkened by vague threatenings, in which war, pestilence, and famine cast their gloomy shadows over the land. It is hard to say how Clarendon, or any other Minister, could have withstood the determination of Parliament to make adequate provision against what it deemed to be impending dangers.

The increasing prevalence of the Plague forced the Court and Parliament once again, in 1665, to move to Oxford; and there legislation followed the same course. Still further security was deemed necessary against the dissenting clergy, and a new Bill was introduced, providing that all non-

[1] Pepys, August 5th, 1665.

conforming clergy should take the oath of non-resistance —declaring that it was unlawful on any pretence, to take up arms against the King, and that they would at no time endeavour any alteration of government in Church and State; and providing that those who refused the oath should be incapable of teaching in schools, and should not be permitted to reside within five miles [1] of any city or burgh returning members to Parliament, or of any place where they had acted as ministers of religion.

The Bill was evidently conceived under the influence of a panic. Absurd as were its provisions, they would perhaps not have been so severely condemned, under the high ethical standard of later historians, had they not been accompanied by the almost humorous provision that the penalties should be escaped by an oath, which not the most compliant Nonconformists could possibly have accepted. Sarcastic pleasantries of that sort always bring upon coercive legislation a heavier condemnation than it would otherwise incur.

Whatever its merits or demerits, the Bill was one which the House of Commons was determined to have, and which it passed without a division. It was only in the Lords that it met with opposition. There its chief advocate was Archbishop Sheldon, whose inclination coincided with what he naturally believed to be his duty—to press every advantage for the Church. Sheldon was faithful to his convictions, and frankly desirous of securing the Church against any new efforts of the Nonconformists. His attitude was that of the stalwart ecclesiastical protagonist, whose business it was to avenge the wrongs of the Church, not to conciliate her foes; and considerations of what was prudent in secular politics had no concern for him. Between Sheldon and Clarendon there was the sympathy of old and tried friendship and of comradeship in many a hard fight. But Clarendon,

[1] Hence its popular name of "The Five Mile Act."

faithful friend of the Church as he was, did not always see eye to eye with ecclesiastics. We have seen how often and how severely he could criticize them; and his sympathy with their general object did not always commend to him their methods. His doubts might not always lead him to assume an attitude of open and direct opposition. Deliberate abstention might be just as effective, and was less liable to be misunderstood by the friends of the Church. As a fact, in this case Clarendon was absent from the debates owing to his persistent enemy, the gout. He expresses no opinion adverse or otherwise upon the Act, of which he omits to make any mention. This sufficiently indicates his attitude towards it; and his own closest political ally, Southampton, offered direct opposition to the Bill in the Lords. Whatever his loyalty to the Church, Southampton declared, he could take no oath to pledge himself against any alteration, which he might even "see cause to endeavour."

We need have little doubt as to which way Clarendon's sympathies went in the dispute between his two old friends. But indeed the passing of the Bill depended upon no individual views and upon the action of no Minister. The House of Commons was more Royalist than the King—more orthodox than the Church. Charles was finding out now what he was to find out more surely as time went on, that the bull-headed obstinacy of his friends might be quite as troublesome as the intrigues and plottings of his foes. It would have been dangerous either for King or Minister to resist the impetuosity of Parliamentary intolerance. We cannot assume sympathy on Clarendon's part with these exaggerations of loyalty to the Church, from his general commendation of the Parliament at Oxford, and its legislation as a whole. It had, he tells us, "preserved that excellent harmony that the King had proposed." "Never Parliament so entirely sympathized with his Majesty;" "It passed

more Acts for his honour and security than any other had ever done in so short a session." All this was strictly true; and that Parliament doubtless did not lose favour in Clarendon's eyes, because it met at Oxford, and amidst those congenial surroundings which reminded him of the old days, and the old fights amongst comrades whose aims were purer, and their hearts higher, than the actors on the present stage. Clarendon might, however, be fully persuaded of the honest aims of the Parliamentary Cavaliers, without approving all their methods or being blind to the danger these methods involved.

We have now to turn to another aspect of the work of this session, which concerned Clarendon much more directly, and which aroused in him not mere doubts of its expediency, but direct and deeply-felt conviction of its pernicious tendency. It is a matter which it is worth examining with some care, because it struck at Clarendon's fundamental theory of administration, and aroused in him an antipathy which may easily be misunderstood if we do not apprehend exactly what it involved.

In no sphere of administration did more difficult problems emerge after the Restoration than in that of Finance. It was then, as it always must be, the pivot upon which all constitutional questions turned; and it was this which had given to Parliament the lever by which the monarchy had been overturned. When the Restoration took place, it was natural that some of the older usages in regard to finance should be revived. Cromwell had dictated their course to those feeble figments of Parliamentary representation which he had allowed to exist, and had crushed out any financial liberties which they might be supposed to possess. A regular system of assessment, by the quarter or the month, had been laid upon the counties. The real responsibility for this had rested with local functionaries acting under the direct orders of the executive; and its regularity caused it to be submitted to

without resistance. Excise had been established, as we have seen, during the Civil War, as a temporary expedient, destined to be permanent; and any sudden alteration of this would have led to financial confusion. The old system of subsidies, of which a certain number were voted according to the exigencies of the time, and the power of the Government to influence Parliament, had been abandoned. When the Restoration came, these subsidies were for a while resumed. But at the same time a regular revenue of £1,200,000 was granted to the Crown, and provision was supposed to be made for it by assigning certain taxes, and the produce of the Excise, for the purpose. But this was found to be inadequate to realize the stated income, and that income was found inadequate to meet the increasing expenditure, especially when the defence of England's commercial interests had to be maintained by a large and costly fleet. When the enormous and unprecedented grant of £2,500,000 was made to the Crown for the Dutch war, it was provided that it should be realized, not by the old method of subsidies, but by twelve quarterly assessments extending over three years. Clarendon's aim was by no means to place the Crown in a position of financial irresponsibility. He realized that Parliament had a place in the Constitution as well as the Crown, and had no desire to minimize the financial independence of Parliament, or to free the Crown from the necessity of regular resort to Parliament for such special and extraordinary grants as might be necessary. But he thought that the Crown should be provided with a regular revenue to meet ordinary expenses; and that it should be required to apply to Parliament only for any increase of that revenue if special exigencies should arise. But the revenue, so granted, should belong to the Crown, which should be free to administer it according to the judgment of the Ministers of the Crown. Parliament possessed the prerogative

of making the grant, and thereby of imposing conditions upon it. But once made, the Ministers of the Crown were to be responsible for its application. Any maladministration would be subject of punishment by the Crown, or, if need be, of impeachment by the Parliament.

The abandonment of the system of subsidies almost necessarily led to another far-reaching change. Separate subsidies had formerly been granted by Parliament in respect of the nation, and by Convocation in respect of the Church. The right of making independent grants was a doubtful privilege for the Church, and would, had it continued, have caused endless confusion to the Exchequer. It was abandoned by consent. No statute abolished it. It was an old usage, but rested upon little more than usage; and it was abolished, once and for all, not by statute, but by arrangement between Sheldon and the leaders of the Church, on the one hand, and Clarendon and Southampton on the other. It was an instance of the abandonment of an ancient principle, sanctioned by the usage of centuries and intimately bound up with the relations between Church and State, by no action of the legislature, but solely by the action of the Crown. At the same time, by an almost more startling extension of the prerogative, the clergy were compensated by being allowed to take part in the election of Parliamentary representatives.

The method by which the grants given by Parliament could be made available for national expenditure had been found easy and convenient. For this purpose the help of the bankers, who were generally goldsmiths of high standing, was invoked. Clarendon gives us a detailed account of the usage. Half a dozen of the leading monied men of the city were summoned to the council chamber. They knew the amount of grant made by Parliament, and were asked to what extent they were prepared to make advances upon

this amount. They did so in reliance upon the faith of the King and the Lord Treasurer, and upon the certainty that any failure to fulfil its obligations on the part of the Exchequer would inevitably lead to national loss of credit, and consequent bankruptcy. If the current rate of interest was 6 per cent., they advanced the money at 8 per cent., and counted on the 2 per cent. to recoup them. Clarendon thought the rate fair, and found the method eminently convenient. But the bankers relied solely upon the good faith and prudence of the Minister. There was nothing to prevent the King making an assignment of the revenue, as it came in, to purposes other than the reimbursement of the bankers. The only guarantee against this was the good faith of the responsible Minister and the certainty that the Crown must submit its case to Parliament should the need of further grant arise. The King had to adapt his expenditure to his revenue; but the application of revenue to any particular branch of the expenditure was, in Clarendon's view, a matter for himself and his responsible Ministers.

On more than one occasion in the past grants from Parliament had been expressly assigned to specific purposes, and such an arrangement had unquestionably much to commend it. But a long time often intervened between the making of a grant and the realization of revenue. Money had to be procured at once, and before the tax yielded revenue new needs had arisen, and new expenditure had to be incurred. The system of appropriating supplies would undoubtedly make the financial administration more mechanical, circumscribe the responsibility of Ministers, and cripple the power of the Crown in applying revenue towards pressing objects. Unforeseen savings—though these, indeed, were not an item of much importance in the financial administration of Charles's reign—could not, under such a system, be applied to new exigencies without a further warrant from

Parliament. The whole system of appropriation, however defensible on the modern maxims of sound finance, was inconvenient in working, and tended to increase the dependence of the Crown on Parliament, and to diminish at once the discretion and the responsibility of Ministers of the Crown.

It was during the Parliament at Oxford in 1665 that this fundamental change in the financial system was pressed forward by the personal jealousy of that clique at Court which sought the ruin of Southampton and Clarendon. Specious arguments could easily be brought forward against the greed and extortion of the bankers, who were realizing fortunes by the loose financial administration which made the King's revenue pass through their hands, and subjected it to a heavy toll upon which they throve. Once revenue was assigned to a specific object, the credit of the Crown, it was alleged, would be enormously enhanced, and it would be perfectly easy to establish a State bank, on the model of that in Amsterdam, which would be a perennial source from which money might be drawn as required. And this facility of supply would be joined with purity of financial administration; Parliament would know exactly what was done with the money that it voted; leakages would be stopped, and peculation would cease to be possible.

The arguments were at once specious and inviting. But in truth the real motives which prompted the new proposals were jealousy of Southampton and Clarendon and personal ambition. The prime mover was Sir George Downing, that turbulent and versatile political adventurer, who had run through the whole gamut of political tergiversation, and who, as envoy to Holland, had long worried Clarendon by the pertinacity with which he had provoked the jealousy of the Dutch and had done all in his power to precipitate the war. He had contrived to secure appointment as one of the Tellers of the Exchequer, was in close confederacy

with Bennet, now Lord Arlington, and was scheming with him to oust the influence of the Chancellor and the Treasurer. His perquisites, as Teller of the Exchequer, were lessened by the assignment of taxes to the bankers in return for their advances, and as the proceeds of the taxes did not pass through the Exchequer, the percentage to the Tellers was thereby diminished. The position of Lord Southampton was difficult to assail. "His reputation was so great, his wisdom so unquestionable, and his integrity so confessed, that they knew in neither of those points he could be impeached." [1] The King was still faithful to his Treasurer, and insinuations as to his increasing age and unfitness for active business did not shake his confidence. But Southampton's enemies were strengthened by the support of Ashley, who, though his advancement was due to his relationship to Southampton by marriage, was beginning to feel that he might well rid himself of the ladder by which he had climbed, and that he himself would be a very competent Treasurer. It was only when he perceived that his confederates might not aid this ambition that he became more lukewarm in his support of their schemes.

There was at least one convenience in the present system. The facile humour of the King led him to assign revenues to suitors who had no very creditable claims to reward. It was convenient to him to shift to the Chancellor and the Treasurer the odium of refusing to endorse these grants. Their watchful jealousy against inroads upon the national resources increased the number of their enemies; but it saved the King from the irksome burden of refusal. It was speciously urged against this that the root of all the financial difficulties was

"the unlimited power of the Lord Treasurer, that no money could issue out without his particular direction, and all

[1] *Life*, iii. 2.

money was paid upon no other rules than his order; so that, let the King want as much as was possible, no money could be paid by him without the Treasurer's warrant." [1]

It was a persuasive argument for Charles's ears. The popular pretence went only a little way. The real aim —and this it was that attracted the King—was that personal authority should be eliminated, and that he should no longer be subject to the galling supervision of the two Ministers, whose bull-dog honesty was so often inconvenient. Meanwhile the minds of the members of the House were cunningly prepared for the reception of the new design, by invectives against the bankers. They were "cheats, bloodsuckers, extortioners." Their enemies "would have them looked upon as the causes of all the King's necessities and of the want of monies throughout the kingdom." [2]

When the Bill for supply was brought in by the Solicitor-General, Downing found his opportunity. He proposed a proviso, the object of which was "to make all the money that was to be raised by the Bill to be applied only to those ends to which it was given, and to no other purpose whatsoever, by what authority soever." The restrictions thus imposed upon the royal authority were viewed with jealousy by many, who found in them a renewal of that financial supremacy of the Commons which had been the symptom of the approach of the rebellion. Cromwell, it was pointed out, had himself seen the inconvenience of such restrictions, and had refused to submit to them. The proviso would have been defeated, had not Downing assured the Solicitor-General that the proviso was proposed by the King's own direction. After the House had risen, the King sent for the Solicitor-General, and "forbade him any more to oppose that proviso, for that it was much for his service." [3] He refused to listen to any remonstrances. "He would bear the

[1] *Life*, iii. 5. [2] *Ibid.*, p. 7. [3] *Ibid.*, p. 11.

inconveniences which would ensue upon his own account, for the benefits which would accrue." Downing took care to strengthen these favourable resolutions of the King. "He would make his Exchequer the best and the greatest bank in Europe, where all Europe would, when it was once understood, pay in their money for the certain profit it would yield, and the indubitable certainty that they should receive their money." He would, he assured the King, "erect the King's Exchequer into the same degree of credit that the Bank of Amsterdam stood upon." He forgot to tell the King that such credit could only be established by eliminating the personal influence and authority of the Crown over finance. That was no doubt a change which must come. But it formed no part of Charles's calculation, and it was opposed to Clarendon's theory of monarchy. Clarendon states the case with precision. Downing propounded his scheme

"without weighing that the security for monies so deposited in banks (such as that of Amsterdam) is the republic itself, which must expire before that security can fail; which can never be depended on in a monarchy, where the monarch's sole word can cancel all those formal provisions which can be made." [1]

Anxious as he was for financial purity and for a due interdependence of King and Parliament, Clarendon was not disposed to part with this prerogative of the Crown. Downing and his allies were equally aware that to abandon it was no part of Charles's thoughts. It would be absurd to argue back from later days when such a claim on the part of the Crown was a thing of the past. The essence of the plan, which made it palatable to the King and the object of all Downing's scheming, was that "it was to new-model the whole Government of the country, in which the King

[1] *Life*, iii. 13.

resolved to have no more superior officers." The power of these superior officers was an incubus of which Charles longed to rid himself.

The Bill passed the House of Commons, and was brought to the Lords. Such Bills, says Clarendon in an interesting passage,[1] "seldom stay long with the Lords."

"Of custom, which they call privilege, they are first begun in the House of Commons, where they endure long deliberation, and when they are adjusted there, they seem to pass through the House of Peers with the reading twice and formal commitment, in which any alterations are very rarely made, except in any impositions which are laid upon their (*i.e.* the Lords') own persons." "The same endorsement that is sent up by the Commons is usually the Bill itself that is presented to the King for his royal assent."

It is to be observed that Clarendon is speaking of custom only, not of right; and he is careful to add that such Bills are "no more valid without their (the Lords') consent than without that of the other (the Commons); and they may alter any clause in them that they do not think for the good of the people." Only "the Lords use not to put any stop on the passage of such Bills, much less diminish what is offered by them to the King."

But in spite of such usage, the new provisions of the Bill so alarmed those in the House of Lords who understood the matter, as to prompt them to an alteration. Both the Chancellor and the Treasurer were confined by illness, and neither of them had received notice of the Bill. It was only when their colleagues in the House of Lords informed them of its purport that they resolved to resist what they believed to be a deadly blow to the power of the Crown, albeit dealt with the sanction and active approval of the King.

[1] *Life*, iii. 13.

By this time Ashley, who, as Chancellor of the Exchequer, found his own prerogatives threatened, had definitely ranged himself against those with whom he had been associated in plotting against Clarendon and Southampton. His fertile wit supplied new arguments, and helped him to alarm the King. Charles

"was contented that the matter should be debated in his presence; and because the Chancellor was in his bed, thought his chamber to be the fittest place for the consultation; and the Lord Treasurer, though indisposed and apprehensive of the gout, could yet use his feet, and was very willing to attend his Majesty there, without the least imagining that he was aimed at."

Clarendon could no longer rely upon an effective ally in his aged colleague.

Besides the King and the Duke of York and the two chief Ministers there were present Ashley, Arlington, and Coventry. The law officers were there to advise; and Downing was admitted that he might answer the objections to his scheme. Ashley began the discussion by inveighing against the proviso. The King checked this "by declaring that whatsoever had been done in the whole transaction of it had been with his privity and approbation, and the whole blame must be laid to his own charge, who, it seems, was like to suffer most by it." Whatever the tendency of the proviso, it is clear that such action made an end of all real ministerial responsibility, if the chief Ministers of the Crown were to find their authority undermined by schemes which the King might concoct with inferior officers. The appropriation of supplies might be a step towards financial control; but it was bought at a heavy cost if it was to be achieved by backstairs influence against the advice of the King's responsible advisers. Clarendon was not prepared to accept what he believed to be a breach of the Crown's

constitutional prerogative; but, compared with his master, he had travelled far on the road towards constitutional monarchy. Charles's nonchalant surrender of the powers of the Crown was carried out with cynical disregard of all the principles of the constitution.

But the King did not refuse to admit the force of some of the adverse arguments. He confessed "that they had given some reasons against it which he had not thought of, and which in truth he could not answer," and he was waiting to hear it argued further. The first objection was its novelty. The new proviso would form a dangerous precedent, which would hereafter appear in every Bill. The King would not be "master of his own money, nor the Ministers of his revenue be able to assign monies to meet any casual expenses." The authority of the Treasurer and the Chancellor of the Exchequer must be vested in the Tellers of the Exchequer, who were subordinate officers. Clarendon s comment upon this is characteristic of his best vein of grave sarcasm.

"The King had in his nature so little reverence for antiquity, and did in truth so much contemn old orders, forms, and institutions, that the objections of novelty rather advanced than obstructed any proposition. He was a great lover of new inventions, and thought them the effects of wit and spirit, and fit to control the superstitious observation of the dictates of our ancestors; so that objection made little impression."

Many sore trials to his patience have lent point and acid to Clarendon's satirical picture of a master, whose cynicism made him fancy that blind pursuit of novelty sat well upon the occupant of a throne that rested chiefly upon ancient usage, and upon the glamour of reverence which that usage brought.

The overpowering temptation to the King was the chimera of a bank which, it was represented, would be created

by this new proviso. It was in vain that Clarendon showed that the hope was an empty one; that heavy interest would have to be paid for advances; that good husbandry, and that alone, could restore order to the finances. Downing was an adept in specious argument. "He wrapped himself up, according to his custom, in a mist of words that nobody could see light in, but they who by often hearing the same chat thought they understood it."

To the King's credit it must be counted that he was not indifferent to the injustice involved to the bankers, who had already advanced large sums, on the credit of the King and his Minister, for which, under the new proviso, they could receive no reimbursement, and might thus be ruined. That and the other arguments impressed him. He went so far as to "wish that the matter had been better consulted," and confessed that Downing "had not answered many of the objections." But the balance of personal convenience, and the facilities which Downing lavishly promised, in the end carried the day. That vein of obstinacy, which was entwined with the love of ease in Charles, determined him to adopt an expedient, hazardous, indeed, but which promised some hope of financial fruit, and had been propounded on the King's own orders. Perhaps Clarendon himself contributed to this result by the natural, but imprudent, outbreak of indignation which moved him in the King's own presence to scold Downing in no measured terms. To do so was almost the same as to administer the scolding to the King himself; and even a temper so easy as that of Charles could hardly have taken such an outburst in good part.

"It was impossible," Clarendon told Downing, "for the King to be well served whilst fellows of his condition were admitted to speak as much as they had a mind to; and that, in the best times, such presumptions had been

punished with imprisonment by the Lords of the Council without the King taking notice of it."

Clarendon himself seems to have felt that such an utterance, in the presence of the King, to one whom the King declared to have acted on his orders, was a straining of courtly etiquette which required some apology. It was uttered, he tells us, in the extremity of bodily pain; and he thought "it did not exceed the privilege and the dignity of the place he held." Clarendon certainly set himself no very strict bonds of courtliness in the freedom of his utterances to his King. On this particular occasion his plain speaking seems to have rankled.

What, then, was the real meaning of this change, so bitterly resented by Clarendon, and eventually adopted in the teeth of his advice by Parliament and King? It is absurd to suppose that any consuming desire for financial exactitude prompted the action of Downing, of Arlington, or of Coventry. No doubt they anticipated one necessary result of full Parliamentary control over finance, in the principle of appropriation. But what they really desired was to eliminate the discretion, and thereby the control over expenditure, which was exercised by the great officers of State. That also was bound to come. The rapidly increasing range of administration and of expenditure must inevitably have substituted routine rules and fixed practice for the personal intervention, and the exercise of personal authority, by those great officers of State. But Clarendon was loth to part with this personal authority; he distrusted, with good eason, the honesty and the independence of the inferior officials into whose hands the administration of finance was intended to pass, and who could easily, under the cover of routine practice, which relieved them from the intervention of their superiors, conceal a system of malversation. The change, indeed, embodied in its essentials the passing of

authority from the great responsible officers to a bureaucracy. Its full results could not yet be seen. Its dangers have since then been prevented, and it is to be hoped they may not again arise. But Clarendon saw in the change the reversal of all former traditions; the diminishing of responsibility in the high officers and the substitution for them of a lower grade of petty officials, shielded by the great edifice of rules of routine in which they become experts, and, as such, are unassailable. It was a change which was bound to come. It was impossible that the vast machine of national finance could be guided by rules laid down for each case by a responsible Minister. The change was none the less a revolution, and was not more welcome to Clarendon, in that it was carried out by the scheming of an ambitious underling, working upon the facile temper of the King, who thus hoped to have an ampler supply of revenue, freed from the control of Ministers who could curb his extravagance.

The episode produced a marked increase of the estrangement between the King and the Minister who had served him so well. Clarendon's fierce denunciation of Downing's presumption rankled in Charles's memory, and those about him took care that it should not be smoothed over. "Whatever else was natural to wit sharpened with malice to suggest upon such an argument, they enforced with warmth, that they desired might be taken for zeal for his service and dignity, which was prostituted by those presumptions of the Chancellor."[1] Clarendon soon learned the truth from the changed demeanour of the King. At first he was at a loss to explain this; but Charles soon spoke in terms that could not be mistaken, and expressed "a great resentment of it," as an unpardonable insult. "And all this," adds Clarendon, "in a choler very unnatural to him, which exceedingly troubled the Chancellor and made him more

[1] *Life*, iii. 24.

discern, though he had evidence enough of it before, that he stood upon very slippery ground." [1] It was no part of Clarendon's character to take such a rebuke in silence or to leave it to pass gradually from the mind of the King. His conscience, he said, had not reproached him; but since his Majesty thought his behaviour so bad, "he must and did believe he had committed a great fault, for which he did humbly ask his pardon." It was impossible, he said, that any one could believe that he sought to keep the King from a clear view of his own affairs; and none knew better than his Majesty how earnestly he had striven "that his Majesty might never set his hand to anything before he fully understood it upon such references and reports as, according to the nature of the business, were to be for his full information." That innate reverence for the power of the Crown, which was Clarendon's guiding principle, could hardly have been united with sharper sarcasm upon the business methods of the King.

To outward seeming the feeling of offence was removed. Charles had no wish to resume the argument, and forbade him to believe "that it was or could be in any man's power to make him suspect his affection or integrity to his service." He covered any resentment he might feel with that dissimulation of which he was so great a master; and soon after gave an earnest of his continued good-will by promoting Clarendon's kinsman, Dr. Hyde, to the Bishopric of Salisbury. "Nor was his credit with the King thought to be lessened by anybody but himself, who knew more to that purpose than other people could do." It may be doubted whether some of Charles's familiars did not guess more shrewdly than Clarendon supposed. The gossip of Pepys lets us know that the tongues of talebearers were not silent.

[1] *Life*, iii. 25.

CHAPTER XXIII

DECAY OF CLARENDON'S INFLUENCE

We must still look backwards a little in tracing the accumulating effect of friction, of jealousy, and of slander, in sapping the power of Clarendon.

He had not long to wait to see how adroit his many enemies were in twisting to his disadvantage any irritation which Charles might feel. The state of public affairs was sufficiently overclouded to make his anxieties in any case very great. The war still dragged on its weary course (we are now dealing with a period anterior to the peace already described), with its heavy burden of expense and its ever-recurring disasters, relieved only by occasional success. The combined calamity of the Fire and the Plague increased the general depression, paralyzed trade, and made the burden of taxation more severe. Repressive measures, if they had checked rebellion, had left a troubled background of smouldering discontent, and were sowing the seeds of future opposition to the Crown and to the Church. The temper of the House of Commons, however pronounced its adhesion to the Cavalier party, was stubborn and perverse; and stubbornness and perversity are never so provoking in politics as when they are united with an exaggeration of one's own opinion. The House resented almost with the tone and in the spirit of the Long Parliament, the dictation—and Clarendon's best friends must admit that his methods were apt to be dictatorial—of a

Minister who saw that its exaggerated Royalism might be itself a danger to the Crown, and who was faithful to a theory of the constitution which imposed limits at once upon King and upon Parliament. Clarendon belonged to an older generation, and was unwilling to trim his sails to suit the newer fashions. His pedantic constitutionalism —we are all apt to think that notions which will not adopt themselves to our own practice are pedantic—became unpalatable at once to King and Parliament. He was not compliant enough to suit the prejudices of the stalwart Cavaliers; he had no weapons wherewith to fight courtiers, such as Buckingham, who knew how to make friends for themselves amongst those who condemned the Court and all connected with it. It was the growing estrangement between him and the House of Commons that added force to the schemes of his enemies.

Clarendon saw two symptoms of danger—in the attempts to detach from him his most trusted friends and allies, and in the sure and gradual advancement of those who were his sworn foes. His oldest and most trusted comrade—from whom death was soon to part him—was the Treasurer, Lord Southampton. Their friendship was the growth of years. In the earliest days of the Civil war, Southampton, who had avoided, before its outbreak, all connection with the Court, had joined the King's party with some misgiving, but had brought to it the weight of unblemished character and great debating power. He had striven, even against the inclination of the King, to advance proposals for a treaty with Parliament; and his loyalty did not blind him to the hopelessness of the struggle, or to what seemed to him defects in the Royalist cause. Too proud to be a courtier, and too sensible of the responsibility of great lineage and high station to be a rebel, his aim was to steer a moderate course. In temper, as well as in political views,

he and Clarendon were closely united; and their mutual confidence continued unbroken after the Restoration. Clarendon's enemies found a convenient opportunity for kindling in the mind of Southampton some petty offence, in the fact that Clarendon, at the instance of the Duke of York and his daughter, the Duchess, had done something to promote the claims to a Court appointment of a candidate other than that favoured by Southampton.[1] The matter was a trumpery one; but the irritation was fanned by those who were eager to break the alliance of the older statesmen. Southampton was a man who asked for few favours, and was all the more incensed when he was made to understand that his old friend had stood in his way, when for once he had stooped to make an application. Clarendon soon discerned his old friend's ill-will, and took his usual course of bringing it speedily to a clear issue. His own temper was hot, and for a time "he grew out of humour too, and thought himself unworthily suspected." But he soon thought better of it, and bluntly told the Treasurer that "it should not be in his power to break friendship with him, to gratify the humour of other people, without letting him know what the matter was." The explanation was given; and mutual confidence was soon restored between the two old allies. But Clarendon saw in the incident new evidence of the sordid tricks that sought to entangle him in the petty jealousy of rival cliques. "They who had contrived this device entered into a new confederacy, how they might first remove the Treasurer, which would facilitate the pulling the Chancellor down." [2]

[1] The post was one about the Court of the Queen, and the two claimants were the son of Lord Montague, favoured by the Duke and Duchess; and Robert Spencer, a relative of the Earl of Southampton. Personally, Clarendon preferred the latter; but he had put forward the name of the other at the solicitation of the Duke and his daughter without much consideration, and without knowing that any other claimant was in the field.

[2] *Life*, ii. 454.

Clarendon found a sign of danger even more alarming in the gradual advancement of those who were pledged to his enemies, and who became their most useful tools. There was none whose influence, in this or in other respects, was more baneful to Clarendon than the Duke of York. The incidents of the Duke's first connection with his family were amongst his bitterest memories; and although he never failed to show to his son-in-law the respect due to the brother of the King, yet Clarendon found in him a perpetual obstacle to his plans, an intriguer whose selfish aims and jealous temper ever engendered fresh dissensions at Court, and a sullen bigot whose moroseness was redeemed by none of his brother's easy suavity of manner. The Duke's pride did not permit him openly to desert the interests of his father-in-law or to range himself with Clarendon's enemies. But his blundering tactlessness, his easily wounded vanity, and his insatiable appetite for power, often led him to give encouragement to those whose influence Clarendon knew to be pernicious. One of these was Sir William Coventry, against whom Clarendon, as we have already seen, cherished an invincible dislike, all the more marked because he had known and reverenced his father, the former Chancellor. He knew Coventry's restless ambition and how capable he was by boldness, by ability in debate, and by adroitness in expedient, to supply the defects of the stolid and slow intrigue of his patron, Arlington. Coventry had managed to gain the confidence of the Duke and to be his trusted agent in the affairs of the navy, where the Duke, as Lord High Admiral, was supreme; and Clarendon knew that Coventry's influence boded no good to the moderate policy which it was his own chief aim to pursue. It was by the Duke's solicitation that Coventry now obtained the position of Privy Councillor, and was admitted to the inner Cabinet, where no modesty prevented him from opposing Clarendon

at once in internal affairs and in foreign policy. An opportunity soon offered itself to Coventry for proving his influence and inflicting a deadly blow upon Sandwich, whose placid temper and essential loyalty had made him one of Clarendon's chosen friends. At first Coventry endeavoured vainly to insinuate doubts of Sandwich's capacity as a naval commander; and when he failed there he soon found another means of attack.[1] Sandwich had, with much rashness and in too ready compliance with the laxity which prevailed in matters of public finance, yielded to the urgency of some of his flag officers, and permitted the sale of some East India prizes captured from the Dutch, in order to meet long-standing arrears of pay due to his officers. He had referred the matter to the King, through the Vice-Chamberlain, but, with singular carelessness, carried the transaction through before he had received the royal approval. This gave Coventry just the chance that he desired. Sandwich's action was a clear infringement of the prerogative of the Duke as Lord High Admiral, through whom alone any such favour could be conferred. Albemarle, incensed at what appeared a flagrant breach of military discipline, became a powerful adherent of Sandwich's enemies. Sandwich's own money difficulties were no secret, and he himself was to benefit by the bounty, which he shared with his flag officers, and against which the rest of the fleet was murmuring. He saw too late the error that he had committed, and made his humble apologies to the King and the Duke. But though he was able to appease their anger, the evil to his own reputation was done, and his enemies were in no mood to relieve him of it. Clarendon could not prevent his being deprived of his naval command. Already Sandwich had incurred the jealousy of the old Cavaliers, who grudged to one, once

[1] This incident has already been briefly alluded to in connection with the progress of the war. See above, p. 202.

Cromwell's officer, the rewards which had not come to their earlier loyalty. All that Clarendon could do was to soften Sandwich's fall by procuring his appointment as ambassador to Spain. The ablest of Charles's naval commanders was sacrificed because of what, in the lax financial morality of the day, seemed only an error of judgment; and the direction of naval affairs was thus placed almost entirely in the hands of Coventry, who, as representing the Duke, could issue commands and thwart the policy of the King's Ministers.

The same restless faction which had sought to sow dissension between the Chancellor and the Treasurer, were not deterred, by failure, from new efforts to break the influence of these two older Ministers. They were busy gathering new recruits to their faction and insinuating them into offices of trust; and now they thought they could undermine the fort by driving Southampton into the resignation of his office. His character and rank stood too high to make him an easy victim, or to encourage them to any open attack. But they could suggest that his powers were waning; that he was no longer equal to the task of guiding the finances of the nation; that he was ruled by subordinates; and that consideration for his age would make it only reasonable to relieve him of an irksome burden. They knew that little persuasion was required to bring about his resignation of a post which duty rather than inclination made him retain; and they guessed, with good reason, that it was Clarendon's advice that chiefly kept Southampton in office.

The procedure followed the usual course. First, Charles was persuaded that his aged Treasurer was no longer equal to the duties of his office. It was easy to suggest to him that his business would move more smoothly if the pedantic methods, the vigilant care, and the cumbrous and dilatory processes of the Lord Treasurer's office were simplified and

expedited. When he was duly impressed, the King had then to be brought to discharge the ungracious task of conveying to the Chancellor the fact that the King would welcome the Treasurer's relinquishment of his office. To do him justice, Charles did not relish the part he was compelled to play. Even his selfishness could not cloak its ugly ingratitude, and it suited ill with his easy temper to be the medium of such an ungracious message. Nor was it quite compatible with that royal dignity, which he did not always cast aside, to be made the spokesman, to his more serious Minister, of a conspiracy not unlike that of unruly schoolboys. The King knew by experience that, master though he was, he could still be made uncomfortable by hearing stern and plain truths, even in the ceremonious diction in which his Chancellor knew how to clothe them.

The King began the interview—somewhat hypocritically—by "enlarging in a great commendation of the Treasurer." But in spite of all his merits Southampton "did not understand the mystery of that place, nor could his nature go through with the necessary obligations of it." His ill-health caused delay and murmuring in regard to urgent business. His secretary [1] virtually discharged the work of the office—an estimable and honest man, no doubt, but not equal to the position of Lord Treasurer. The Treasurer's "understanding was too fine for such gross matters as the office must be conversant about, and if his want of health

[1] Sir Philip Warwick was born in Westminster in 1609, and was employed before the Civil War, in the service of Lord Goring, and, afterwards, of Bishop Juxon. He acted as Secretary to the King during the Conference at Newport, in 1648. After the Restoration, he became Secretary to the Treasury under Lord Southampton, and had all the qualities of an excellent civil servant, virtually controlling the department under its ministerial head. His *Memoirs* are not of first-rate importance, but contain some good accounts of engagements in the war, and of incidents in the life of the King. He survived till 1683, and won the fervent admiration of that other worthy official, Pepys.

did not hinder him, his genius did not carry him that way." Nothing could be further from the King's thoughts than to disoblige so faithful a servant; but perhaps he would not be unwilling to go, and perhaps the Chancellor would do the King the singular service of suggesting it to him.

The first answer of Clarendon in reply to this not very palatable speech was to ask whom the King proposed to make Treasurer in Southampton's place? He would, said the King, never have another Treasurer, but would exercise the office by Commissioners. Once more the same insuperable prejudice, which Clarendon had felt against the system involved in the Appropriation Clause, was stirred in him. He saw precisely the same motives at work, involving precisely the same dangers. Commissioners might be all very well in Cromwell's days. He needed no Treasurer, and could take care, with an army at his back, that Commissioners would not prove troublesome. But the plan suited ill with monarchical principles. The King should have his Lord Treasurer, of standing and of honour sufficient to ensure sound administration and compel respect. Commissioners, as Clarendon discerned clearly, would be bad servants and dangerous masters. Clarendon might be fighting a forlorn hope against the growing forces of officialdom; but his dislike was honest, and his discernment of the future was correct.

But he had other reasons to urge against the slur which it was proposed to throw upon his old friend.

"Most humbly and with much earnestness he besought his Majesty seriously to reflect what an ill savour it would have over the whole kingdom, at this time of a war with at least two powerful enemies abroad together, in so great discontent and jealousy at home, and when the Court was in no great reputation with the people, to remove a person, the most loved and reverenced for his most exemplary fidelity and wisdom, who had deserved as much from

his blessed father and himself as a subject can do from his prince, a nobleman of the best quality, the best allied and the best beloved; to remove at such a time such a person, and with such circumstances, from his counsels and his trust."

The King was not of a mould to resist plain speaking like this, and when not supported by the presence of those who made him their tool and instrument, he seldom managed to make way against the vehemence of Clarendon's rebukes. It could hardly be pleasant for a monarch to be told that what he designs is base ingratitude; that his throne is in danger; the reputation of his Court in evil savour; that both require such support as they may be able to get from men of reverence and station, and that he would be mad to alienate any support from such men that may be vouchsafed to him; yet this was the plain meaning of Clarendon's words. But Charles hesitated to go back, repulsed, to those who had made him their mouthpiece. He remained "rather moved and troubled than convinced." But fortunately Clarendon found an unexpected ally in the Duke of York, who had joined the King and himself at the interview, with the intention, it appears, of supporting the King's purpose. To him Clarendon restated his arguments, and urged him to do the best service to the King his brother "by dissuading him from a course that would prove so mischievous to him." For this once, the Duke was converted to Clarendon's view, and "prevailed with the King to lay aside the thought of it."[1] Once more the Court conspirators

[1] Charles not rarely showed a respect for his brother's opinion which was not founded upon any high estimate of his abilities. Clarendon himself remarks this when commenting upon the failure of any attempt to arouse jealousy between the brothers. Charles, he says, "had a just affection for him, and a confidence in him, without thinking better of his natural parts than he thought there was just cause for; and yet, which made it the more wondered at, he did often depart, in matters of the highest moment, from his own judgment to comply with his brother" (*Life*, iii. 62).

were baulked of their purpose. They could press the King no further; but

"only made so much use of their want of success by presenting to his Majesty his irresoluteness, which made the Chancellor still impose upon him, that the King did not think the better of the Chancellor or the Treasurer for his receding at that time from prosecuting what he had so positively resolved to have done." He could only promise "to be firmer to his next determination."

Between the reproaches of the conspirators of the Court and the scoldings of the stern Chancellor, the King plays no very dignified figure. Even Charles's easy humour could not but owe a grudge to one who so often rated him like a schoolboy in the solemn phrases of State ceremony.

The year 1666 opened on a prospect far from cheering either to the country or to those charged with its administration. There were symptoms enough of actual and impending ills to make it no hazardous prophecy for the astrologers to predict that it was to be "a year of dismal changes and alterations throughout the world."[1] The war dragged on its weary course, with what seemed to be but delusive hopes of settlement. Financial troubles were becoming urgent, and the mood of Parliament, without being actually refractory, was stubborn and suspicious. The Plague was still pressing with grievous heaviness, even though there were symptoms that it was somewhat alleviated. Throughout the nation there was murmuring and discontent, at times breaking out into active resistance to the law; and the Court was in increasingly worse odour with the people. It aroused at once the anger of those whom its extravagance seemed to insult; the disgust of those who had some respect for decency; and the contempt and bitter grief of those

[1] *Life*, iii. 39.

who prized the honour of the Crown, and desired to maintain the loyalty of the nation.

Charles's disappointment of any hope of legitimate offspring seemed to dissipate any frail purpose he had entertained of ordering his life and Court with more regard to the elementary dictates of decency and decorum. The influence of Lady Castlemaine was supreme; and the grossness of the palace atmosphere was made all the greater because his favourite mistress added the character of procuress to that of courtesan.

Clarendon would fain have found some excuse for the degradation of the family to whose service his life had been devoted. Apart from all political inclinations and all thoughts of personal ambition, it is absolutely certain that what largely aroused in Clarendon that enthusiastic loyalty which he felt for Charles I. was the consummate dignity of a pure life. Dignity as well as purity were alike banished from the Court of Charles II., with the examples before it of his own more open debauchery and of his brother's more morose viciousness, which was rendered all the uglier by his sullen bigotry. With a discerning eye Clarendon read the prevailing defects of the Stuart race—their proneness to succumb to flattery and vicious influence, and then obstinately to sacrifice every good inclination to the acquired vice.

"They were too much inclined to like men at first sight, and did not love the conversation of men of many more years than themselves, and thought age not only troublesome, but impertinent. They did not love to deny, and less to strangers than to their friends; not out of bounty or generosity, which was a flower that did never grownaturally in the heart of either of the families, that of Stuart or of Bourbon, but out of an unskilfulness and defect in the countenance; and when they prevailed with themselves

to make some pause rather than to deny, importunity removed all resolution." [1]

It is a heavy indictment in the mouth of one who had felt its truth by bitter experience and to whom its avowal caused the deepest pain.

The scandals of the Court touched Clarendon through his daughter, the Duchess of York. The Duke was no model of connubial fidelity, and his lapses from virtue, if not so flagrant as those of his brother, yet gave food enough for gossiping tongues. But ostensibly his married life was fairly decorous, and against the Duchess no charges could be made. Her life, however, did not escape the gibes of those who sought to attack her father through her, and the trust which the Duke showed in her judgment roused their malice. They did their best to bring the King to listen to their sarcasm on a married life which seemed to rebuke his own; and Clarendon at the same time saw with regret that both his daughter and her husband partook in large measure of the spirit of reckless expense which prevailed at Court. Dutiful as she was in other respects, here her father's admonitions were of no effect. The Duke and she had formed their ideas of the scale of expenditure necessary in the household of the heir apparent, from the usages of the French Court. To those who saw in her only the daughter of one who, a few years ago, had been but a Wiltshire squire, her assumption of almost royal state was a cause of petty malice, and suggested the false pride of a family of obscure birth. To Clarendon it seemed but a necessary insistence upon that respect which the prevailing tone of the Court rendered necessary. In his eyes the danger lay, not in their insistence upon the usages of royal etiquette, but in their extravagance; and he incurred some ill-will from her, as well as from her husband, by his refusal to give his aid in

[1] *Life*, iii. 63.

ANNE HYDE, DUCHESS OF YORK

(From the original by Sir Peter Lely.)

securing for them a more ample revenue. The connection with the royal family, which had been thrust upon Clarendon to his indignation and sorely against his will, proved a new source of anxiety and dispeace.

It was on the first of September "in this dismal year of 1666," that the Great Fire burst out that in a few days consumed two-thirds of London, comprising all the repositories of her wealth. It added, to the other disasters weighing on the country, a stupendous disturbance of her commerce at its very centre, and the plunging of the nation into one of those unthinking panics, which, once indulged, so easily become habitual. The people were in no condition to face such a calamity with the coolness that comes from native energy or the confidence inspired by trust in their rulers. It seemed as if a judgment from heaven had fallen upon the nation; but it was received with all the despair of craven superstition and with no thought of benefiting by the lessons of tribulation. Angry and groundless accusations against foreigners and papists only added to the general excitement, without stirring up any of the courage which makes brave men face disaster. Public credit was shaken; commercial operations were stunned; wage-earners were thrown out of employment; the forces of crime found themselves released even from those imperfect bonds which then kept them in check. The King and his brother did, indeed, prove their courage in danger and their readiness of expedient; and they were well helped in their efforts to cope with the calamity by many of the leading nobility. But as a whole the visitation proved that the nerves of the nation were sadly relaxed. Clarendon summarizes the progress of the fire and the destruction wrought by it; but his most significant comments are those with which he closes his narrative, telling how hopeless he had grown, in this, the last stage of his laborious career :—

"It was hoped and expected," he says, "that this prodigious and universal calamity, for the effects of it covered the whole kingdom, would have made impression, and produced some reformation in the licence of the Court; for as the pains the King had taken night and day during the fire and the dangers he had exposed himself to, even for the saving the citizens' goods, had been very notorious and in the mouths of all men, with good wishes and prayers for him; so his Majesty had been heard during that time to speak with great piety and devotion of the displeasure that God was provoked to. And no doubt the deep sense of it did raise many good thoughts and purposes in his royal breast. But he was narrowly watched and looked to that such melancholic thoughts might not long possess him, the consequence and effect whereof was like to be more grievous than that of the fire itself; of which that loose company that was too much cherished, even before it was extinguished, discoursed of as an argument for mirth and wit, to describe the wildness of the confusion all people were in; in which the Scripture itself was used with equal liberty when they could apply it to their profane purposes. And Mr. May [1] presumed to assure the King that this was the greatest blessing that God had ever conferred upon him, his restoration only excepted; for the walls and gates being now burned and thrown down of that rebellious city, which was always an enemy to the Crown, his Majesty would never suffer them to repair and build them up again to be a bit in his mouth and a bridle upon his neck, but would keep all open that his troops might enter upon them whenever he thought it necessary for his service, there being no way to govern that rude multitude but by force." [2]

Such ribaldry was distasteful to the King, and for the moment he frowned upon it. But it wrought a dire effect,

[1] Baptist May (born in 1629) managed to ingratiate himself with Charles II. in France, and became a favourite in the unsavoury position of "Court Pimp," as he is styled by Pepys. He secured for his base services some grants of land about St. James's, and was one of the lowest of a degraded gang. He sat occasionally in Parliament to discharge commissions which no man of honour would have undertaken. He lived a despised life down to 1698.

[2] *Life*, iii. 100.

as it spread beyond the purlieus of the palace. Liberty of criticism was as easy to the rude multitude as to the witlings of the Court, and its effects, when it spread to that multitude, were far more deadly. The King's judgment might condemn, but his facile love of jesting made him inclined to listen to, the empty and sordid chatter of frivolity that sounded through his Court. "Meanwhile," says Clarendon, "all men of virtue and sobriety, of which there were very many in the King's family, were grieved and heartbroken with hearing what they could not choose but hear, and seeing many things which they could not avoid seeing." It is hard to say which is most worthy of contempt—the appalling cynicism that prompted such scurrilities, or the amazing folly which mistook their vulgarity for wit.

But even although Charles, out of a seeming respect for his older and sounder counsellors, might frown upon such irresponsible outbursts of bad taste, his scanty respect for the forms of the constitution continued to be a source of deep regret to Clarendon. In the view of the Chancellor, the Privy Council was the pivot of the constitution.

"By the constitution of the kingdom," he says,[1] "and the very laws and customs of the nation, as the Privy Council and every member of it is of the King's sole choice and election of him to that trust, so the body of it is the most sacred, and hath the greatest authority in the government of the State, next the person of the King himself, to whom all other powers are equally subject; and no King of England can so well secure his own just prerogative or preserve it from violation as by a strict defending and supporting the dignity of his Privy Council."

This is one of the features in Clarendon's scheme of the constitution, which essentially divide him from the modern view. But it was to be long before the Privy Councilship

[1] *Life*, iii. 103.

became, as in modern usage, little more than an honorary title; and it may be doubted whether a strict reading of the constitution is not infringed by the change which this has involved. Clarendon did not, of course, suppose that the Privy Council could place itself above Parliament, or that it could pretend to guide the national policy. Such a thing would have been as impossible in Clarendon's day as it would be now. But he did conceive that the power of the executive should receive all its authority from, and be subject to the supreme guidance of, the most ancient and august body which was nominated solely by the Crown. The prerogative of the Crown must be exercised through that body; and this view was confirmed by the fact that after the Revolution each Privy Councillor was made responsible for the decrees passed with his assent. This was, indeed, the very contrivance by which the ancient principle that the King could do no wrong was made compatible with a free constitution. Clarendon's view, however antiquated, was thus, in truth, a safeguard for liberty. A great officer of State was entrusted with the duties and powers of his office. But he was not necessarily a member of the Privy Council, and his powers were, in Clarendon's view, limited by the supreme authority of that Council. That its portals should be jealously guarded; that only men of the first weight should be admitted to it; that its proceedings should be carefully regulated and should rest upon sound legal principles—all these things made for government by the personal agency of carefully chosen Ministers of the Crown, which it was Clarendon's aim to preserve, instead of bureaucratic rule by a host of minor officials. They also served as a powerful guarantee for constitutional liberty and for immediate responsibility attaching to a well-recognized body for any infringement of it. It is hard to fix responsibility amongst the various

grades of an official hierarchy. It is easy to fix it upon a small group of leading men who have the administration in their hands, who are bound to base their procedure on well-understood rules, and who cannot transgress these rules in ignorance or under the veil of obscurity.

Under the new *régime* the Chancellor found the Privy Council filled with Court favourites or ambitious intriguers of the type of Sir William Coventry, who scorned precedent and was never so happy as when inveighing against the trammels of the law. Clarendon was forced to submit to daily encroachments upon regularity of procedure, which found encouragement from the King. His personal dignity was injured, and his temper was daily chafed, by the insults of those who carried their insubordination and their flippancy to the Council Chamber, where he could ill brook their presence ; and they did so under cover of the secret sympathy of the King. Day by day he found his own influence more surely undermined ; and it was none the less irksome because he saw the work of his life undone amidst the gibes of a heartless cynicism.

It involves, however, no reflection upon the dignity or the capacity of Clarendon if we are compelled to admit that the schoolboy baiting to which he was exposed found no little encouragement from his own bluntness and his stubborn resolution to stoop to none of the arts of courtiership. There was a limit even to the patience with which Charles could listen to the oft-repeated catalogue of his own moral defects ; and perhaps Clarendon's lessons might have been none the less effective had they been conveyed with something more of tact. The strange thing is that he himself saw, and faithfully recounts, the traps which were laid for him. But he seems to have thought that these could best be dealt with by roughly trampling on such devices and tearing his way headlong through such snares. The struggle

was sometimes not a little comic in aspect, in spite of the background of tragedy. Upon some occasions the courtiers, with an hypocrisy which Clarendon did not fail to suspect, would lament to him the scandals of their master's life and the injury that these wrought to his reputation and authority. When he urged that they should "advertise the King what they thought and heard all others say," they professed that they dared not speak to the King "in such dialect." Clarendon gave them credit for some honesty in their refusal to condemn what they themselves encouraged; and perhaps too readily assumed himself the task which they refused. On one occasion, while he and Arlington—one would have thought no very sympathetic pair for mutual confidences—were discussing the license of the Court and the consequent injury to the Crown, their conversation was interrupted by the King. Their trouble did not escape his notice, and he asked the subject of their talk. The Chancellor candidly declared—prefacing the declaration by a confession that he was not sorry for the chance of making it—that

"they were speaking of his Majesty, and, as they did frequently, were bewailing the unhappy life he lived, both with respect to himself, who, by the excess of pleasures which he indulged to himself, was indeed without the true delight and relish of any; and in respect to his Government, which he totally neglected, and of which the kingdom was so sensible that it could not be long before he felt the ill effects of it."

So he proceeded, pressing home the moral with all energy of denunciation, and concluded by

"beseeching him to believe, that which he had often said to him, that no prince could be more miserable, nor could have more reason to fear his own ruin, than he who hath no servants who dare contradict him in his opinions and advise him against his inclinations, how natural soever."

The picture was not a flattering one, and the prognostications were not soothing. To play the part of such a Mentor is doubtless at times a duty, but it can scarcely confirm the influence of him by whom it is discharged. The King heard it " with his usual temper (for he was a patient hearer) and spake sensibly, as if he thought that much that had been said was with too much reason." Perhaps Clarendon might have chosen a better audience than a proclaimed enemy like Arlington. The secretary had no mind for such jeremiads, and was dexterous enough to turn the subject by falling into " raillery, which was his best faculty, with which he diverted the King from any further serious reflections." The King and he soon passed to merriment at Clarendon's expense, and made the old jests against the gravity of age, which made no allowance for the infirmities of youth. Clarendon tells the close of the conversation with an almost naïve candour. Their raillery, he confesses,

" increased the passion he was in, and provoked him to say that it was observed abroad, that it was a faculty very much improved of late in the Court, to laugh at those arguments they could not answer, and which could always be requited with the same mirth amongst those who were enemies to it, and therefore it was a pity that it should be so much embraced by those who pretended to be friends ; " and ended with " some other, too plain, expressions, which, it may be, were not warily enough used."

Candour is no doubt a virtue, and Clarendon deserves honour for his bold words. But to tell the King that he was at once a sluggard and a debauchee ; that he had lost the respect, and would probably soon forfeit the obedience of his subjects ; and to scold his jocular raillery by painting him as courting the society and imitating the manners of buffoons, was scarcely a tactful way of insinuating a lesson of caution and establishing the confidence which makes a

servant congenial to his master. We must honour Clarendon for his manliness; but perhaps a little less of the pedagogue might not have diminished his influence or impaired the dignity of his character.

Charles knew how to hide any irritation under a smiling demeanour. But the friction was there and it soon took plainer shape. Careless as he was, the King had his share of Stuart punctiliousness, and the habits of the French Court had taught him that royal favour ought to command respect, even for those whose conduct had forfeited it according to the usual ethics of social decorum. That respect his pride taught him to insist upon; and he resented the boldness of the lampoons upon his Court which were now circulated broadcast, not because they reflected on his morals, but because they were a breach of good manners. One whose chosen associates were men of habitual profanity and unabashed licentiousness; one who believed religion to be nothing but disguised hypocrisy, and the chastity of women nothing but a delusion artfully contrived—could not long condone plain speaking for its manliness and sincerity, and could not conceive that the profligacy of the royal courtesan deprived her of the observances of formal courtliness. It was this last point which brought upon Clarendon the King's first direct remonstrances. He told the Chancellor that "he was more severe against common infirmities than he should be, and that his wife was not courteous in returning visits and civilities to those who paid her respect." Such neglect the King chose to interpret as an insult to himself. It was clear to whom and to what it referred; Clarendon had consistently declined to allow his wife to have any intercourse with Lady Castlemaine. To the King's remonstrance

"he answered very roundly, that he might seem not to understand his meaning, and so make no reply to the discourse

he had made ; but that he understood it all and the meaning of every word of it ; and therefore that it would not become him to suffer his Majesty to depart with an opinion that what he had said would produce any alteration in his behaviour towards him, or reformation of his manners towards any other person. He did beseech his Majesty," the Chancellor went on, " not to believe that he hath a prerogative to declare vice virtue, or to qualify any person who lives in a sin and avows it, against which God Himself hath pronounced damnation, for the company and conversation of innocent and worthy persons. Whatever low obedience, which was in truth gross flattery, some people might pay to what they believed would be grateful to his Majesty, they had in their hearts a perfect detestation of the persons they made address to ; for his part, he was resolved that his wife should not be one of these courtiers."

The King could only reply " that he was wrong, and had an understanding different from all men who had experience in the world."

Clarendon's are brave words, and we may well doubt whether the like were ever addressed by a Minister of the Crown to the occupant of a throne which still retained so much of the kingly prerogative as did that of Charles. But do they leave us to seek for new grounds for Clarendon's approaching fall ? Do they not, indeed, prove that, but for his thorough grasp of the essentials of sound administration, his predominant forcefulness, and the urgent need of his wise and experienced guidance, the King would have yielded to his own growing irritation, and that Clarendon's fall would have come, and the eager longings of his enemies have been gratified, far earlier than was the case ?

Before we enter upon the last stage of Clarendon's ministry, so fateful for the future history of England, it may be well to turn to another aspect of his life, which is not without its use in helping us to estimate his character.

We have already seen how the high office which he held, and for which his unswerving loyalty, his long service, and his ample experience had so fully designated him, had been accompanied by exalted rank in the nobility of England, which required him, according to the fashion of the time, to maintain great state, and involved heavy expenditure. He had inherited a fair estate; had married the daughter of an ancient family, with no small dowry; and, in his early days, his fortune had been increased, not only by further inheritances, but by the lucrative practice of his profession. When he first entered Parliament, he had before him the prospect of a prosperous career; and when he was induced to enter the service of Charles I. it was possible for him to do so without emolument and in full security that his own means would be ample for his requirements. During the troubled years that followed these means rapidly decreased. He could draw no revenue from his estates, and during the long years of his banishment from the country he had been reduced to the direst straits of poverty, and had been forced to subsist on the scanty grants that could be made to him, and to others, from the funds supplied to the King by those loyal supporters who could spare something from their own impaired revenues. After the Restoration, Clarendon found himself in possession of an office of which the emoluments, without any of those malpractices or extortions which were then too common, and which his enemies did not scruple to charge against him,[1] were still large. There is not a tittle

[1] Hints and gossip as to such bribes and commissions were inevitable in an age when they were only too common, and in the mouths of men whose consciences were blunted by long practice. Such gossip readily spread, as it is, in all places and in all ages, too apt to do. We may safely discard the slanderous garrulity of Pepys, and just as safely the ridiculous libel of Anthony a Wood, who tells us how one David Jenkyns, a friend of Wood's and a good Royalist, would certainly have been made a judge at the Restoration, if he "had paid money to the Lord Chancellor." Anthony a Wood had no kindly feeling to a family from whom he received such castigation as he did from the Hydes. Lies of that sort always propagate themselves,

of evidence to disprove Clarendon's assertion, that he confined himself to those revenues of his office which were strictly legal; and to suppose otherwise would be to suppose him false to all those ideals which were the foundation of his character, and to which his pride, if nothing else, compelled him. Naturally he recovered the full use of his private property, and some, at least, of the arrears due to him would undoubtedly be paid. Very soon after the King's return a grant—in no degree above his merits—of £20,000 was made to him by the King out of the present sent by the Parliament. Clarendon found himself in the position of a fairly wealthy man, and it was not unnatural that he should desire to maintain that position which was commensurate with his rank. He knew himself to be the founder of a family which must take its place in the ranks of the great nobility of England, and must hold a conspicuous place in her annals. To him, as to many men for whom the pettiness of personal position weighs for little, the maintenance of that family in worthy dignity became a legitimate object of ambition.[1] To his historic sense a place amongst the nobility of his country was attractive, and its stateliness was something which his imagination clothed with more than merely superficial allurement. It was from no selfish feeling and no vanity of personal display, that he conceived the idea of leaving to those who were to come after him an inheritance compatible with that position. It would be unjust to blame Clarendon because he gave the scanty leisure, which

like noisome weeds; it is the part of the wise to neglect them until they are established by proof.

[1] Clarendon did, indeed, as he was fully justified in doing, procure for some of his relations posts for which there is no reason to judge them unsuitable. One cousin, Alexander Hyde, became Bishop of Salisbury. Another, Robert Hyde, became Chief Justice of the Common Pleas in 1661. The brother of these two, Henry Hyde, had been executed for his loyalty in 1650, and thereby had established no mean claim to loyal gratitude. Clarendon, in this, did no more than any one in his circumstances was not only entitled, but bound to do.

his absorbing business permitted him, to attaining that object. For years after the Restoration he had no house of his own in London, and occupied one or other of the houses either lent or hired to him by members of the great nobility who now looked upon him as their equal. After his private affairs were on a more secure basis, he began to build for himself. He chose a site near the top of St. James's Street, just where Piccadilly began to melt into the fields beyond, and there he constructed a mansion which he fondly hoped would carry on his name for many a generation. It was conceived on ample lines and with all that pride of architecture which his own cultured taste and the stately ceremonial of the day made congenial to him. As in temperament and style, so in his conception of the constitution, in his taste, and in the ordering of his life, Clarendon was essentially an aristocrat; and it was in harmony with that idea that the mansion which faced St. James's Palace,[1] and was to bear the name of Clarendon House, was now rising in all the bravery of ornament and amplitude of design which were in keeping with its owner's taste; and that it should earn the praise of Evelyn as likely to be the stateliest house in London.[2] But envious tongues and malicious gossip soon taught its builder that his pride was vain, and that he could not indulge his fancy with the ease of one who held

[1] It was flanked by Lord Berkeley's house to the west, and by Burlington House to the east.

[2] "To my Lord Chancellor at Clarendon House," says Pepys, in his *Diary* for May 9, 1667. "Mightily pleased with the nobleness of this house, and the brave furniture and pictures, which indeed is very noble." He had been impressed with it as strongly in its early stages, and writes in January, 1666: "It is the finest pile I ever did see in my life, and will be a glorious house." The building was begun early in 1665. Evelyn is not so complimentary. He thought it "a goodly pile to see, but had many defects as to the architecture, yet placed most gracefully" (*Diary*, Nov. 28, 1666). A longer passage from Evelyn's *Diary*, of a later date, is quoted in the note on p. 324.

Pepys was greatly impressed with the view, to which he more than once returned, from the roof of the house. "It is the noblest prospect that ever I saw in my life; Greenwich being nothing to it" (Feb. 166⅔).

obscurer rank. The crowd is fickle, and Clarendon took little care to secure its lenient judgment. Already his mansion was nicknamed Dunkirk House, and the quidnuncs told how it was built out of the bribes which had made him contrive the sale of that port to France. To decorate his mansion it was his ambition to collect a gallery of portraits, which should represent all those who had foremost places in the eventful history of his time. Such a design involved an expenditure very small compared with the notions of the present day. Clarendon procured all the notable portraits which were available. It is quite possible—and Evelyn admits it—that when the statesman's foible became known, pictures were sold to him at easy prices, or even presented as a compliment to the power and position of the collector. It is absurd to suppose that Clarendon either would or could have brought any pressure to bear upon the owners. But a falling statesman is an easy aim for slander, and it was whispered that the Clarendon collection was enriched by oppressive means.[1] If Clarendon's very natural ambition

[1] The chief authority for this accusation against Clarendon is an ill-natured insinuation by Lord Dartmouth, in his notes on *Burnet's History of His Own Times*,—notes which were in MS. only, and which were not intended for publication. It carries its own refutation, and Dartmouth could not possibly have had any knowledge of the circumstances. Clarendon no doubt received certain complimentary gifts. But we know that many private collections were broken up and sold by impoverished Cavaliers, and such pictures must at that time have been procurable at easy prices. Many of the pictures were interesting as portraits, rather than as works of art, although there were good specimens of Vandyke, Jansen, Kneller, and Lely amongst the collection; and Clarendon was probably able to pursue his hobby of collecting portraits of the outstanding men in English history at no great cost.

In a letter to Pepys of August 12, 1689, Evelyn gives a list of pictures in the collection of which he himself had advised the purchase, and some of which, he admits, had been presented by those who "strove to make their court" to the Chancellor, by such timely gifts, when his design was known. They comprised portraits of all the leading men in the reigns of Elizabeth, James I., and Charles I., and others were added from more remote history, and from his own later contemporaries. It is interesting to note that there were portraits of Chaucer, Shakespeare, Beaumont, and Fletcher—"which was," adds Evelyn, "most agreeable to his Lordship's general humour.'

When Clarendon House was destroyed, the collection went to his country house, at Cornbury, in Oxfordshire. On the death of Lord Rochester, in

to bequeath a dignified home to his family and to make it a treasure-house of portraits which represented a great page in English history, was any weakness, it was one for which he may well be pardoned, and for which he paid heavily. He lived to regret the error into which a very human pride had led him. We must leave it to sterner moralists to deal out censure upon a weakness which he shared with other men of genius, who have found a solace in raising a stately monument which they may bequeath to posterity, and which may preserve another memory of them than that of their toils and their struggles and their own personal ambitions. But in the case of Clarendon this weakness—of which he himself clearly saw the error—had this additional disadvantage, that it spread the belief that he had acquired wealth proportionate to such architectural expenditure. Like many another man, Clarendon overbuilt himself; and his miscalculation made his contemporaries suppose him the possessor of a superfluity of ill-gotten wealth.

1753, they were divided between his daughters, Jane, Countess of Essex and Catherine (the famous "Kitty" of Pope and Gay), Duchess of Queensberry. The first moiety is that now at the Grove, Watford; the second is that which descended to the Douglas family, and is now at Bothwell Castle.

CHAPTER XXIV

INCREASING BITTERNESS OF HIS FOES

In the midst of thickening troubles at home and abroad, in Court, in the city, and in the provinces, Parliament met on the 21st September, 1666. The new session was destined to bring sharply to an issue more than one of the questions in regard to which long-drawn friction had vexed the soul of Clarendon, and as it proceeded it was to reveal more clearly the designs of those who had striven so persistently to fret irritations and sow new seeds of dissension between him and the King. Their success, ignoble as it was, and little profitable either to the Crown, the kingdom, or themselves, was soon to be achieved.

Parliament met under the oppression of gloom caused by the Fire. Whitehall and Westminster were safe, but scarcely a mile distant the smoke which rose from the desolated city had hardly died away. "They saw," said the King in his opening address, "the dismal ruins the Fire had made; and nothing but a miracle of God's mercy could have preserved what was left from the same destruction." He was forced once more to apply for their assistance to meet the vast expense of the war, to which no end could be foreseen. The disasters of the kingdom had doubled the insolence of their enemies; and nothing could save the country but a vigorous effort to show the world that, in spite of these disasters, it was still equal to its own defence. It was a crisis which sorely needed all the energy of firm

and united statesmanship; and very scantily was that need supplied. The interruption of credit; the bankruptcy of many of the leading citizens; the general paralysis that had fallen upon commerce—all these made it hard to say how money could be raised, and Clarendon notes, with none of the satisfaction that the truth of his prophecy might have brought, that the Appropriation Proviso had resulted in the check, rather than in the boasted increase, of the supply of funds. There was, indeed, "a faint vote procured," that they would give a supply proportionate to the wants of the Crown; but no sum was fixed, and after this first vague resolution the matter hung in suspense, and even a Parliament that was so strongly loyalist found it needful to delay and insist upon conditions before any new supply was voted. Their loyalty had now a strong vein of stubbornness. The country gentlemen could no longer blind themselves to the scandals of the Court, and the intractable mood bred by these scandals could be skilfully turned to their own purposes by Clarendon's enemies. What had at first been only dilatoriness soon developed into sharp criticism and angry remonstrance, for which Clarendon knew that there was only too good ground. It was an ill time to press for new supplies when the national resources were drained to the dregs. If the King needed more after the lavish grants of recent years, there must have been mischief afoot which should be probed to the bottom. All those through whose hands the money had passed must give a strict account of it.

A Bill was introduced for the appointment of Audit Commissioners, who were to examine all accounts and report to Parliament any defaulters, whose punishment Parliament was to determine. So strongly was the country party bent upon this financial inquest that it was difficult to withstand their zeal in the hunt for malpractices. The naval administration was chiefly in their view, and their threats caused

much searching of heart amongst those whose consciences told them that their methods could hardly meet the perilous light of day. A certain amount of corruption was an ordinary incident of all administrative dealings. Pepys had no wish to be dishonest, and was, indeed, a fairly incorrupt official, according to the ideas of the day. Many times he had withstood flagrant waste, and he was vigilant in promoting sound economies. But a barefaced system of secret commissions, which he honestly records in the faithful pages of his *Diary*, was universally practised, and the only admitted scruple was that such commissions should not be allowed to operate so as to permit a flagrantly dishonest contract. Subject to this, he evidently thought himself neglectful of his rightful interests if he did not make the most out of every transaction, and he piously invokes the blessing of Heaven upon the unsavoury business, as, with unctuous complacency, he counts up his gains. But, however such things may be condoned by the prevailing practice they have an ugly appearance when exposed to the public gaze, and Pepys was sorely alarmed both for himself and his principals at the prospect of a strict investigation. Others besides Pepys were involved. Ashley's administration of the prize-money had been expressly set free from any auditing authority except that of the King; and under the protection of this proviso he had expended the proceeds not only with the sanction, but at the instigation of Charles, on objects which could not be made public without exposing the Crown to the contempt of the nation, and making the resistance of the country party more obstinate and more outspoken. Charles took alarm, and consulted the secret committee of the Privy Council on the subject. He was determined, he said, to defend his Ministers against an inquiry conducted on methods for which there was no precedent, and under which no man would be safe. He trusted

that the Bill would receive no support in the Commons; that if it passed the Commons it would be rejected by the Lords; but in any case, he was resolved never to give it his assent. The committee appeared to assent to these bold words, and to see in the proposal a dangerous menace to the prerogative of the Crown; and Clarendon, obeying his natural dislike of such encroachments, confirmed the view of the King, hoped that he would abide by his resolution, and promised his own vigorous opposition to any such Bill in the Lords.

It is hard to find any adequate ground, either in policy or in justice, for Clarendon's resistance to this proposal. He had himself nothing to fear from it. He had no part in the details of naval administration, and those who were chiefly threatened had no claim to his protection. He had been strongly opposed to Ashley's appointment to administer the prize-money, and he could not but know that the investigation would ruin Ashley's reputation. Had he boldly placed himself at the head of the country party and made himself the foremost champion of financial purity, he might have established a firm hold upon the affections of all that was best in the nation, and he might have trusted to their loyalty and his own to prevent any serious blow to the prerogative of the Crown and the respect due to the King. As a fact, he did assent, subsequently, to the nomination by the Crown of an audit commission, and it does not seem as if a simple alteration of procedure would have seriously affected the substance of the matter. Of his failure to act thus, his increasing age, his infirmities of health, the anxieties by which he was oppressed, and the lack of powerful and confidential allies may have largely been the cause. But we must remember also the ruling principles in Clarendon's conception of the constitution, and his own deep-seated prejudices. He was unwilling to stoop to injure an enemy by

a weapon which might diminish the prerogative of the Crown. He never sought the position of leader of a party, which would thus have been forced upon him, and he felt that position to be incompatible with his own loyalty as servant of the Crown. He disliked the idea of Parliamentary tactics; and all his past experience identified such tactics, in his mind, with the beginnings of rebellion. It was not given to him to see so far into the future as to conceive that an independent Minister might be the strongest buttress of the Crown.

But the tactics from which he recoiled were put into practice, with less than his honesty, but with much more skill in stratagem, by those who sought to accomplish his fall. The very courtiers whose influence was accountable for the scandals which stirred the indignation of the country party, made themselves the trusted friends of the parliamentary opposition, and carefully nursed it for their own purposes. The irresponsible and flighty genius of Buckingham made him, for the moment, the chosen patron of those who were murmuring against the abuses of the Court, stimulated him to organize and conciliate the Parliamentary faction that grumbled against the waste of the national resources, and induced him to cast aside for the time the habits of a profligate voluptuary, and throw himself with ardour into the labours of Parliamentary debate. Rivalry in debauchery had made him, for a season, the object of the King's personal dislike, and had involved him in a bitter contest with Lady Castlemaine; and this tempted him to adopt the uncongenial part of a moralist, who found it convenient to cultivate the friendship of the strictest sectaries, and to pose as the saviour of the kingdom. It was not the first, nor the only, antic by which he made himself, as Zimri, the easy butt of Dryden's satire. He became the prime favourite of the people, and his power with the mob

seemed to make him the rival of the King. It added to the zest with which he pursued this new freak, that it helped him to satisfy private and personal piques. In particular the Duke of Ormonde had become the object of his almost insane jealousy. Ormonde's lofty character, his consistent loyalty, his influence in the counsels of the King, above all, his vast power as a great territorial magnate, had wounded the vanity of Buckingham; and he was able to evoke against Ormonde, as an Irish peer, the jealousy of those English nobles who thought themselves unduly eclipsed by the great possessions, and high official rank, of a peer of a lower order—that of the Irish nobility.

It was largely in obedience to this personal jealousy, that Buckingham had made himself the prominent promoter of a Bill of singular injustice to the sister kingdom. It was conceived that the importation of Irish cattle was a serious injury to the English agricultural interest, and was enriching the Irish at the expense of the English proprietors; and it was therefore proposed to forbid any such importation. That it involved practical ruin to Ireland, and promised to lay the seeds of deep-rooted hatred, mattered nothing to those who had their own selfish objects to pursue, or who had private grudges to satisfy. It was only natural that the Bill found ready assent amongst some honest men, who were earnestly desirous to relieve the agricultural interest, suffering heavily under the pressure of taxation, and who had something else than private venom to indulge. The bitter complaints of Ireland could not be expected to weigh for much. It remained to be seen whether the short-sighted selfishness, which was sedulously fostered in order to gratify personal spleen, would be allowed to inflict upon a nation, united under the same Crown, this scandalous injustice. At first it was proposed that the embargo should extend to Scotland also; but at a later stage this was dropped.

JAMES BUTLER, DUKE OF ORMONDE.

(*From the original by Sir Godfrey Kneller.*)

The King was not deceived as to the injustice of the Bill, and in its earliest stages he professed that his conscience would never allow him to give it his assent. He urged the Council "to give such a stop to this Bill that it might never be presented to him; for if it were, he must positively reject it." It was not the first, nor the last, pronouncement of the King that was to turn out an empty threat.

The Council did not unanimously accept the opinion of the King. Those whom he consulted took diverse views of the Bill, and some even who doubted its policy were not prepared to face the opposition of the English agricultural interest. Amongst the members of both Houses of the English Parliament there was a deeply-seated jealousy of Ireland, inherited from the days of her resistance to English power, and sharpened by fervent opposition to her Roman Catholic predilections. The promoters of the Bill soon found themselves backed up by a solid phalanx of English prejudice, which held the Commons staunch to their support of its provisions. Buckingham and Ashley learned that their championship added to their hold upon the nation, and gave them a new chance of inflicting a defeat at once upon the King, and upon his older Minister. Clarendon fully recognized the iniquity of the Bill, and welcomed the stalwart resistance which the King avowed that he would give to it.[1] But the result was to prove to him once more how little reliance could be placed on any apparently settled conviction of the King.

The House of Commons had now become too stubborn

[1] It is odd to remark how the incurable prejudice of Whig historians blinds them to the real bearing of the Bill, and forces them, in their desire to avoid any agreement with Clarendon, to find some excuse for it. "It is by no means clear," writes Mr. Christie, the biographer of Ashley, "that special circumstances did not counsel an exception to the general rules of political economy." So easily are fundamental principles made to bend to the exigencies of personal advocacy!

to yield to any arguments of justice; and that the King and his Ministers opposed the Bill only added to the obstinacy with which it was pressed. There was now a deliberate opposition to the Crown, and of the two Bills—that about Irish cattle, and that for a commission of audit—the first was "driven on with more fury, and the other more passionately spoken of." Any support which the party of the Court could reckon on, rapidly diminished; and even its adherents applied to the King for permission to record their votes in favour of the Bill.[1] Again Sir William Coventry, who, to Clarendon's mind, was the evil genius in every plot, appeared upon the scene. He persuaded the King of the strength of the supporters of the Bill, and the small prospect of any supply until the House was satisfied that it would pass. Perhaps, he added, if the friends of the Court withdrew their opposition to the Irish Bill, they might thus be able to elude the threatening provisions of the Bill for the audit of accounts.[2]

Under such inducements, Charles's conscientious opposition to the Bill soon disappeared. His henchmen in the House received new orders, and amidst the plaudits of Buckingham's sycophants, this iniquitous Bill passed through the House of Commons. The triumph only made the Commons insist with the more vigour upon the Bill for the audit of accounts. Again the King yielded to pressure, to the alluring prophecies of abundant supplies as the reward of surrender, and to the dire threats of exposure of Court scandals if the will of the House were thwarted. The result was a new surrender, and the Accounts Bill followed the other to the House of Lords.

The scene of the struggle was now changed, but it was evident that the persistence of opposition was in no way checked, and that a fierce struggle between Parliamentary

[1] *Life*, iii. 141. [2] *Ibid.*, p. 142.

power and the royal prerogative was threatened in the immediate future. To Clarendon, the opposition in the House of Commons centred in these two Bills. Taken together, they roused his unrelenting hostility, the one because it was founded upon no constitutional precedent, and was dangerous to the royal prerogative, the other because it was conceived in a spirit of reckless animosity, and was flagrantly unjust to Ireland. Up to a certain point, the King had cordially agreed with that view; but once more that fickle support went for nothing; a few threats and allurements disposed of Charles's conscience as well as of his judgment. For him precedent did not count; the royal prerogative meant only what secured for himself an easy life, and the prospect of supply; and as for injustice to Ireland, the burden of conscientious scruples was easily transferred to other shoulders. A strong will and a scrupulous conscience were inconvenient equipments for a Minister of Charles II.

But it was still Clarendon's duty to do his best to save the King from treacherous plotters, as well as from the consequences of his own fickle waywardness. There was one way which occurred to Clarendon, and which he seems to have urged upon the King without success. The Parliament had now sat for six years, and perhaps contact with the constituencies might prove a solvent of their irksome obstinacy, and also of those dangerous combinations which were threatening to foil all schemes of sound policy. Might it not be that the sound loyalty of the nation would send to Westminster a Parliament, not servile or subservient, but less truculent and intractable, than the present? Whatever the soundness of his opinion—and it may perhaps be doubted if a new election would have been a safe expedient for the King—it obtained scanty support. The little clique of intriguing courtiers thought that it portended

danger to their own influence. Some who had proved ineffective asserters of the views of the country party were alarmed for their seats; the King was easily persuaded that many of his own most obedient placemen might disappear. Buckingham and his friends managed even to alarm the bishops, by predicting a majority for the enemies of the Church. Clarendon never found that the ecclesiastical mind was one upon which, as a statesman, he could place any reliance. They judged now as far from the mark as usual, and yielded to the persuasions of his foes. Clarendon was fain to be content with the existing House of Commons; and the fight was now to be how far the Lords would bow to the imperious demands of that House, and allow themselves to be managed by the little band of malcontents, whose main object was to make the present administration impossible.

In the House of Lords the leading part in pushing forward the Irish Cattle Bill was taken by the Duke of Buckingham. His new-found ardour for political intrigue had changed for the moment his habits of life as a voluptuary. Under the impulse of his present irritation, his usual haunts were abandoned, and he spent laborious days in the House, the first to be present, and the last to disappear.[1] He had the eager support of Ashley, inspired like him, by jealousy of Clarendon and Ormonde, and bringing to the unholy partnership a lack of principle equal to that of Buckingham, and far greater powers of concentration, and of persistent strategy. With two such protagonists, the debates in the House of Lords lost their usual repose and dignity, and

[1] The usual hour for the meeting of Parliament was early, and Clarendon complains of the laxity which, of recent years, had made the hour as late as ten o'clock A.M. The House of Lords had of late shown so little zeal for work that they frequently adjourned after a few minutes. But now, in the excitement of the discussion on the Irish Bill, they again sat early, and did not adjourn till four o'clock, or even "till the candles were brought in."

became scenes of turmoil and almost of personal violence.[1] Buckingham on one occasion provoked a scene by insolently stating "that whoever was against that Bill had either an Irish interest or an Irish understanding." The remark, as well as Buckingham's habitual arrogance, aroused the wrath of Lord Ossory, Ormonde's eldest son, and a challenge was the consequence. Buckingham, who did not, to the other attributes of finished courtier, add that of personal courage, contrived to miss the rendezvous, and, with a lack of spirit which men of less bravado could hardly have equalled, and which might have made him blush before his own swashbucklers, he proceeded to lay before the House a narrative of the case. Both parties, it was held, had been to blame, and both were, as usual, to pass a short period of penance in the Tower. But Buckingham's enemies contrived, under the rules of the House, to inflict an insult upon him, which might have stirred the blood of a Quaker, not to speak of that which flowed in the veins of this model gentleman. It was unjust, they urged, that any punishment should fall upon the Duke. He had done his best to prevent the encounter, and had prudently mistaken the rendezvous. His friends, not unnaturally, thought "that it would be more for his honour to undergo the censure of the House than the penalty of such a vindication."

But apart from these comic accompaniments, the debate

[1] Clarendon tells us an amusing story of a fracas which occurred between Buckingham and Lord Dorchester, during a conference between the Houses. The two peers, who were avowed enemies, chanced to sit together, and each endeavoured, it would seem, to claim more space than was convenient to the other. From hustling they came to blows, and Lord Dorchester had the misfortune to lose his wig in the shuffle. But "the Marquis had much of the Duke's hair in his hands to recompense for the pulling off his periwig, which he could not reach high enough to do to the other" (*Life*, iii. 154). The matter was settled without bloodshed, and both peers were sent to cool their tempers by a short detention in the Tower. We are apt, on doubtful grounds, to think that the debaucheries of Charles's Court were redeemed by elegance of manners. As a fact, the morals which Dr. Johnson ascribes to Lord Chesterfield's Letters were often joined, in that Court, to manners which would have shocked the dancing master of his apothegm.

upon the Bill in the Lords raised grave constitutional questions. Clarendon opposed the Bill as radically unjust, and economically wrong. But he found in it also much that encroached upon the prerogative. Cases might easily occur where a remission of the Act was imperatively required in the public interest, and in special exigencies, and the usual course was to give such dispensing power to the Crown, just as it is now given under many statutes, by the machinery of an Order in Council. But the prejudices of the promoters of the Bill were too virulent to be satisfied with anything less than the strict and universal application of the embargo; nor did they scruple to suggest that new restraints were required upon the power of the Crown. All that Clarendon and his friends in the House of Lords could do, was to insist that some of the clauses most offensive to the prerogative, and most opposed to precedent, should be expunged from the Bill before it was returned to the House of Commons.

The struggle then entered upon a new phase, involving another constitutional principle. The Commons were prepared to agree to the omission of Scotland from the Bill; but in regard to all else, they refused to accept the amendments of the Lords. The two Houses were in sharp conflict, and for a time it appeared as if the disagreement could result only in the loss of the Bill. Its friends had no wish to see this catastrophe, and a conference between the Houses was therefore arranged. The result was not such as to encourage those who wished for the settlement of a vexed question, or who hoped that prudent counsels would be brought to bear on a constitutional difficulty. To the irritation which the country party had conceived against the Court, and to the obstinate determination that the royal prerogative should yield to the will of Parliament, there was now added a bitter fight between the two Houses; and here again Clarendon's long-cherished opinions forced him

to take the unpopular side. Once more the habits of a lifetime refused to disappear before an unwarranted, and, as he thought, dangerous innovation. We may doubt whether he duly estimated the forces to which he was opposing himself, or rightly gauged the direction in which men's minds were moving. We may say, with full confidence, that he chose his part with singular indifference to what was politically or personally expedient. Neither now nor at any other time did Clarendon yield to anything but his own conscientious convictions. Nature had not so framed him as to give him the faculty of making these convictions any more palatable by his methods of enforcing them. He recognized this fully himself.

"In all the debate upon this Bill, and upon the other of accounts, the Chancellor had the misfortune to lose much credit in the House of Commons, not only by a very strong and cordial opposition to what they desired, but by taking all occasions which were offered by the frequent arguments which were urged of the opinion and authority of the House of Commons, and that it was fit and necessary to concur with them, to mention them with less reverence than they expected. It is very true he had always used in such provocations to desire the Lords to be more solicitous in preserving their own unquestionable rights, and most important privileges, and less tender in restraining the excess and new encroachments of the House of Commons." [1]

He listened with ill-concealed irritation to assertions of supreme power on the part of the Commons, which aroused echoes of the old days of the Long Parliament. His cherished hope was not for an absolute monarchy, but for such maintenance of the royal prerogative as might assure the delicate balance of the constitution; and he saw that the degradation of the Lords to a mere chamber for registering the determination of the House of Commons was a first step

[1] *Life*, iii. 163.

in throwing that delicate balance out of gear. "His opinion was that the late rebellion could never be extirpated and pulled up by the roots, till the King's regal and inherent power and prerogative should be fully awarded and vindicated;" and that prerogative to his mind was associated with the maintenance of adequate authority in the House of Lords. It was not given to him to recognize how deeply that rebellion had struck its roots, and how sure it was that from these roots would grow a strong plant of Parliamentary power, and of predominance of the Representative House, which it was now too late to extirpate. He saw that the irregularities of administration, and the proneness of irresponsible men "to meddle and interpose in matters out of their own sphere, to give their advice in matters of peace and war, to hold conferences with the King, and offer their advices to him," were inevitably breaking down that scheme of the Constitution to which his life had bound him. He was by no means inclined to flatter the House of Lords, or to exempt them from blame for much that he thought mischievous. They had neglected their business, their discharge of their functions had been careless and perfunctory, their meetings had been short, and their intervention in public affairs scanty, "while the other House sat, and drew the eyes of the kingdom upon them, as the only vigilant people for their good." Clarendon's constitutional ideals might be mistaken; but he was under no mistake as to the process by which they were being undermined. He saw how fatal was the error by which the peers insisted upon special personal privileges which lessened the esteem of their order. He protested against that claim of exemption from arrest for debt, which they sought to extend to their menial servants, and which led to such exemptions being often sold by these servants to bankrupt citizens, to the scandal of the law. It was this petty personal arrogance of the peers which gave

the House of Commons their opportunity, of which they were not slow to make use, and in doing so they were encouraged even by those members of the House of Peers who found their personal aims advanced by fostering the obstinacy of the House of Commons opposition. It was his misfortune thus to offend the sticklers for privilege in the House of Lords, while the House of Commons were coming to consider him as the prime obstacle in the way of their newly asserted independence. His enemies rejoiced in such clumsy tactics, while his friends vainly desired him "to use less fervour in these argumentations." In describing these contentions, he uses of himself almost the very words which he had applied to Laud in the old days when Clarendon had urged his patron to be more careful how he gave unnecessary occasion of offence.[1]

"He was in that, as in many things of that kind, that related to the offending other men, for his own sake uncounsellable;[2] not that he did not know that it exposed him to the censure of some men who lay in wait to do him hurt, but because he neglected those censures, nor valued the persons who promoted them."

It was a sturdy attitude no doubt; but the Court of Charles was hardly a scene in which it could be assumed with safety. In that tainted atmosphere blunt-spoken sincerity could scarcely breathe.

Clarendon had attempted to make the House of Lords a buttress to the royal prerogative. A sardonic fate taught him that the weakest support upon which he could rely was the King, for whose power he was ready to sacrifice his own popularity, and hazard his fortune and even his life.

[1] Clarendon himself remarks "that he was guilty of that himself of which he used to accuse Archbishop Laud, that he was too proud of a good conscience" (*Life*, iii. 266).

[2] *i.e.* according to Clarendon's idiom, less amenable to advice than it would have been in his own interest to be.

His enemies could always appeal to the King's love of ease, and to his dread of troublesome interference with his pleasures and his lavish expense. It was on these ignoble motives that they now relied. The Irish Bill must be passed, or supplies would not be forthcoming, the threatening murmurs of the people would take shape in action, and the luxuries and the debaucheries of Whitehall would no longer be left in peace. So Charles's conscientious objections again disappeared. The Lords who were in the confidence of the King were bidden to abate their opposition; the Commons had their way, the injustice to Ireland was forgotten, and the Bill was passed. Charles and his flatterers persuaded themselves that the surrender was the fruit of sagacious policy; they gave full rein to their sarcastic humour in the ridicule of Clarendon and the belated obstinacy of his loyalty to the constitution.

Charles gave his assent to the Irish Bill on January 18th, and in his Speech on that occasion he announced to Parliament their speedy prorogation, and recalled to their minds with some emphasis the forgotten business of supply. This appeal had a good effect, and for very shame the House placed the King in the position to discharge some of his seamen's arrears of pay, and to put some portion of his fleet in fighting trim.[1] Parliament was prorogued on February 8th, and the King had the satisfaction of reminding the Commons that the Bill for the audit of accounts had never been presented to him, and that he proposed himself to issue a commission for the purpose. We can scarcely doubt that this last resolution was adopted by the advice of Clarendon himself. He disliked the encroachment of the Commons, but it was no part of his desire to keep the light of day from the scandals of

[1] In the speech of thanks for this grant the Chancellor persuaded the King to express his hope that provisos like that of the Appropriation Bill would in future be dropped. It was a reflection on Sir W. Coventry's plan, and as such was taken by Coventry himself. (See Pepys, April 1, 1667.)

financial administration. Such a commission, not extorted from the King as an insult, but resting upon his own authority, might perform a necessary and useful work, and care was taken in the selection of commissioners to give no suspicion of weakness or partiality. Before it could do effective work, Clarendon had ceased to guide the nation's policy.

The pressure of Parliamentary opposition was for the time removed. But the troubles of the King's Minister were by no means at an end. The war dragged on its course, our resources were nearly drained, the navy was reduced to inefficiency, our foes were encouraged to new efforts by our disasters. We have already [1] seen the insults which England was yet to undergo before the relief of a not very creditable peace was won, and to what dire necessities the Treasury was reduced for lack of funds. We have learned how, at that juncture,[2] Clarendon differed from the other advisers of the King, was adverse to convoking Parliament, and suggested the unwelcome device of a loan to tide over the emergency. Peace came at last. But it brought no satisfaction to the nation, and no recompense for her vast expenditure. It left the relations between Clarendon and the King sadly strained, and it did not soften the growing unpopularity of the Minister with the country party, or bring oblivion of his sharp passages with the House of Commons. On the contrary, it is precisely from this moment that Clarendon dated the rise of that storm that was to "destroy all his prosperity, and shipwreck all his hopes." The cloud had indeed been thickening, and the waves had been gathering new force, for months and even years. Clarendon professes his knowledge of the plots that had long been undermining his power.

All that he means by dating the storm from this period,

[1] Chapter XXI., p. 205.

[2] See above, p. 206.

is that the long threatened tempest now burst in its full force. But the struggle was to be maintained, not without hopes, for a few months more.

Clarendon had the satisfaction of finding that the summoning of Parliament, in the spring of 1667, to which he had been strongly opposed, and the legality of which he doubted,[1] was after all rendered unnecessary by the near prospect of peace. But Clarendon's opposition to the proposal had increased, if possible, his unpopularity with the Commons, and suspicions had been rife that he desired to raise revenue without Parliamentary consent. The disasters which attended the last stages of the war did not allay the general discontent, and when the peace was at last signed on July 21st, 1667, it found Court and Ministers alike under the cloud of popular jealousy. Only two months before Clarendon had lost the stay and support of that colleague, whose sympathies were closest to his own, the loyalty of whose friendship was most untainted, and upon whose character and high rank Clarendon could rely to balance the jealousy of his own promotion—too sudden not to offend the pride of the older nobility. With touching anxiety, Clarendon had sought to defend his old friend, now enfeebled by age and ill-health, from the unseemly efforts that had been made to remove him by those who sought to fill his place, but it may be doubted whether in doing so he acted in the real interests of Southampton's reputation. His desire to keep his old friend at his side was only natural. Both had passed through hard straits, and both—because Southampton was only the Chancellor's senior by a year—were now prematurely aged. Clarendon and he were the last of the old band who had rallied to the King in 1640, and a true instinct taught him that they must stand or fall together. All the most cherished memories

[1] See *ante*, p. 206.

of his life, all that was most sacred in his loyal devotion to his first master, all the vicissitudes of his fortunes, were associated in Clarendon's mind with the friendship which began when they were students together at Magdalen, and was cemented when they had been forced together, by the excesses of the party with which they had at first been in sympathy, to attach themselves to the Royalist side, at a time when that side had ceased to have any means of attracting the support of selfish ambition. They had alike been averse to the proceedings of the Court during the days when Parliamentary Government was suspended,[1] and had welcomed what they hoped would be a return to sounder methods when Parliament was again summoned. Both had seen much amiss in the government of Strafford, and had been glad to think that what they deemed his innovations would receive a check. Both had revolted against the proceedings of the Parliament, when these transgressed the law, and both resented the flagrant injustice which procured the judicial murder of Strafford. Southampton brought to the service of the King the prestige of high rank, the respect earned by a character which scorned intrigue, and a judgment too sound to be led astray by any violence of partisan passion. His loyalty was untainted and unswerving.[2]

[1] Southampton had suffered severely in purse from the claims put forward by the Crown on his estates in Hampshire; and we have already seen how little Hyde sympathized with the rigour with which such claims were pressed.

This Thomas Wriothesley, third Earl of Southampton, was the son of the second Earl, whose name is immortalized as the patron and the friend of Shakespeare. It is interesting to remember that one of his daughters (he left no male heir) was the wife of William, Lord Russell, condemned and executed in 1683.

[2] Southampton is said to have kept watch over the body of the murdered King, during the night when it lay in Whitehall. It was he who told of the mysterious muffled figure that stole into the Hall during the night, and muttered the words, "Imperious necessity," and whom he always believed to have been Cromwell. After his master's death he compounded with the new Government for his delinquency, and lived in retirement. But he sent encouragement to Charles when a fugitive after the battle of Worcester, and continued, according to his abilities, to minister to his needs during the long exile.

Save to those who knew him intimately, his character was tinged with melancholy, and its impression was not lessened by the habitual gloom which his outward aspect wore. In the inner circle of his friends, he could indulge in a quaint humour, and was no unkindly companion. He was not the only one of Clarendon's contemporaries whose temperament was not proof against the depression born of the troubles of the time. Alike from the ungrudging admiration which Clarendon expresses for his life-long friend, from the captious criticism of those to whom his long tarrying on the stage was irksome, and from the irresponsible gossip of Pepys, we have a vivid picture of the veteran statesman as he appeared to his contemporaries. In outward carriage grave and distant, girt with that ample ceremony of manner which repelled familiarity; easy and prompt in debate, with that sense of self-confidence which permits a man to think on his feet, and to dispense with any niceties of diction; ready to rouse himself to prolonged and earnest labour, but by habit and preference indolent and a lover of his ease—they all present the same features in their portraits. He was a loyal friend, save when a nice sense of the respect due to his rank and character, provoked him to resentment against any fancied neglect; prudent and adroit in counsel, but perhaps lacking in the energy which was required to translate that counsel into action; steadfast, rather than alert, in vindicating the primary duty of sound finance. Clarendon is compelled to admit that "he was naturally lazy, and indulged over much ease to himself;" but he can tell us of the unwonted exertion of which Southampton showed himself capable during the treating at Uxbridge, when he worked continuously for twenty days on end, and curtailed his habitual ten hours of sleep to a maximum of five. His pride involved him in a passing quarrel with Prince Rupert, whose extravagant assertion of precedence

provoked him, and whose challenge he accepted; but his sound judgment, and his well-tried rectitude were enough, after friends had interfered, to prevent the untoward meeting, and to bind him and the Prince in the bonds of an enduring friendship. Like Clarendon, a sound friend to the Church, he was, also like him, essentially a layman, not without distrust of the wisdom of political ecclesiastics. Because he was not disposed to underrate the force of the Presbyterian party, and was disinclined to provoke them to open revolt, the Bishops, according to Clarendon, were wont to impute to him disloyalty to the Church. Clarendon himself, confirmed enemy of Presbyterianism as he was, knew by experience on how flimsy grounds such charges might be brought.[1]

Southampton was not one of those personalities that stand out strongly upon the page of history. Born to great station, he accepted and fulfilled its responsibilities; but he was without initiative, and without that secret of personal force which dominates a generation and leads a party. As in the case of many a Minister, before and since, it is to be feared that what his enemies said was true—that Sir Philip Warwick, his secretary, was Treasurer in all but name. Pepys tells us of his own long interviews with Warwick; and it is clear that it was at these interviews, and not at formal conferences with the Lord Treasurer, that the finance

[1] Pepys, in many lively passages, adds new touches to the portraiture of the Treasurer. On November 19, 1663, he is summoned to the Lord Treasurer's house, and finds him "a very ready man and certainly a brave subject to the King." Pepys is troubled only with the "long nails, which he lets grow upon a pretty short white hand." On September 9, 1665, he recounts the story of one of his gossips—how "the Lord Treasurer minds his ease, and lets things go how they will; if he can have his £8000 per annum, and a game at *l'ombre*, he is well." When the end comes, Pepys—while he admits that "the slowness and remissness of that great man" have done much harm—yet discerns that the prospect for the future is far gloomier by his loss. Even Coventry, when he was gone, could recall the Lord Treasurer whom he had so often thwarted as "a wise and solid though infirm man."

of the navy was arranged. He pictures[1] in a few graphic words, the scene at one of these formal conferences.

"Strange to see how they hold up their hands crying, What shall we do? Says my Lord Treasurer, 'Why, what means all this, Mr. Pepys? This is all true, you say; but what would you have me to do? I have given all I can for my life. Why will not people lend their money? Why will they not trust the King as well as Oliver?'"

It is true comedy. But the flux of Pepys's gossippy confidences is a hard ordeal even for a Minister so worthy as Southampton to pass. Perhaps Pepys also gives us the best picture of his death, quaintly as it is expressed.[2]

"Great talk of the good end that my Lord Treasurer made; closing his own eyes, and setting his mouth, and bidding adieu with the greatest content and freedom in the world, and is said to die with the cleanest hands that ever Lord Treasurer did."

It is no dishonourable epitaph. The career that closed left no brilliant mark, but in its tenor, as in its ending, it is typical of the grave and balanced dignity, the loyalty to his Church, to his sovereign, to himself, that were distinctive of that race of the English nobility who were now to give place to a newer fashion. For us, the closing of that career is chiefly interesting, as it revives in Clarendon the memory of that older order to which he was so passionately attached, and as it carried away one of the few remaining barriers between him and friendless isolation.

The question of the succession to Southampton gave new subject of difference between the Chancellor and the King. Charles was determined, as he had been when there was a talk of Southampton's resignation, to replace the Treasurership by Commissioners, and had been persuaded by

[1] *Diary*, April 12, 1665.

[2] *Diary*, May 19, 1667.

the faction opposed to Clarendon no longer to have one Minister supreme in finance. Again Clarendon remonstrated, and urged that this was a scheme fitted for a republic, and incompatible with the principles of monarchy. It seemed to him one more symptom of the substitution of an official bureaucracy for personal rule. It is no reflection upon his sincerity to admit that, in this, as in many of the principles to which he so obstinately adhered in these later days, he was sometimes moved rather by prejudice than by sound reason. He knew the rottenness of the Court, and the little trust that was to be placed in those who had gained Charles's ear; and that knowledge blinded him to the fact that inveteracy in opposition to prevailing views was no safe or prudent policy for him at this juncture. Himself a man risen from the middle class, he nevertheless held that the natural custodians of the executive power were men who by hereditary rank, and by outstanding position, could acquire, if not the confidence, at least the implicit obedience, of the people. Long association with men of the highest rank, had imbued him with their feelings, and made him the champion of their privileges. Familiar with the ignoble wiles and stratagems which impelled political adventurers, he clung, like many a man before and since, to the habits and the prejudices of a lifetime, and refused to admit any change operating in the spirit of the age. Amongst the forces opposed to him, he still looked with special dislike upon the active and indomitable spirit of Sir William Coventry. Coventry's ability Clarendon was compelled to admit; but he gave him perhaps too little credit for energy and foresight, and for undoubted administrative efficiency. We need not take Coventry altogether at Clarendon's valuation. The two men were out of sympathy, and Coventry was far from sharing that ungrudging loyalty to King and Church which Clarendon reckoned as the test

of a sound citizen. Coventry irritated that love of discipline which was the habit of Clarendon's life. He belonged to a new generation, and did not conceal his contempt for that careful attention to precedent which was to Clarendon a second nature. His advancement had seemed to Clarendon unduly rapid, and his impetuous self-assertion, both in Parliament and in the Privy Council, provoked Clarendon's ire. His one actuating motive, in Clarendon's eyes, was boundless ambition, and he saw him only as the confederate of those who thought to govern at once King and Parliament, by dexterous parliamentary management, and by grasping at the machinery of administration. Coventry's later life proved that he was no eager seeker after office. Only a few months after Clarendon's fall, he stoutly opposed the insolence of Buckingham, and felt the effects of royal displeasure when Buckingham had regained his hold on the facile disposition of the King. He lost all his appointments ; and even though, after a short detention in the Tower, he recovered his freedom and gained the cordial support of a powerful body of friends, he refused to range himself with any party, and declined all suggestions that he should again take office. Of his personal ability, of the respect which he inspired in others than Clarendon, and of his administrative efficiency, we have abundant evidence from other authorities, including both Evelyn and Pepys. He professed himself, in confidential conversation with Pepys, as inspired by no personal prejudice against Clarendon or Southampton. Even the fullest confidence in Clarendon's rectitude cannot blind us to the fact that neither he nor the Treasurer was now in the full vigour of his prime, that more direct and personal supervision of the details of administration than they could give was needed to restore either efficiency or confidence, and that Coventry might honestly believe this. It is no reflection on the loyalty with which Clarendon clung to a

thankless task, if we admit that it might have fared better with him had he recognized sooner that the accomplishment of that task, as he had conceived it, was now hopelessly impossible. The truth is that Clarendon's memory still turned to a time, not so distant, when the relinquishment of office by a Minister meant a permanent breach with the Sovereign, suspicion of treason, the downfall of his fortunes, and also the hazard of his life. The change brought about by government by party, in which a Minister might retire from office, and none the less continue to play a high and influential part in the political history of his country, was slowly but surely coming. Had Clarendon recognized it, there seems to have been nothing to prevent his retiring from office, and still continuing to exercise a potent influence in the counsels of the nation. But he found no precedent in history for such a course. Retirement to him meant defeat, disgrace, and ruin. It may be doubted whether his own dogged tenacity, brave and conscientious as it was, did not itself give his ultimate retirement that added meaning. In adhering to the service of the King, he perhaps forgot that loyalty may only be wasted on an unwilling object, and that satiety is a prolific breeder of ingratitude.

Before the storm broke, there was another Court scandal —for it is worthy of no higher name—that stirred the turbid political waters, and further complicated the difficulties of Clarendon's position. The Duke of Buckingham, that strange personality — half statesman, half buffoon — who occupied no inconsiderable part of the stage in Charles's Court, managed to embroil himself in some extraordinary escapade, or some more than usually freakish piece of mischief, which for once stirred the ordinarily phlegmatic temper of the King. To probe its details would serve no good purpose; if it did not originate in, it was no doubt aggravated by, one of those entanglements common to the life of the

bagnio, which Charles's Court so faithfully reflected. Some wrangle as to the enjoyment of the facile charms of one of the royal mistresses, or the disputed paternity of some bastard, very probably was the origin of an ignoble quarrel which presently reached the dimensions of an affair of State, occupied the attention of the Privy Council for no inconsiderable period, and involved a charge of treason, formulated and then abandoned with the reckless frivolity of the comic stage. We shall probably not be far wrong in ascribing the beginning of the trouble to Lady Castlemaine, who found her hold upon the royal favour threatened by some ill-timed intrigue of Buckingham. A charge of treason was brought against Buckingham, who was known to have at his command a rascally band of bullies and charlatans, who disturbed the streets of London, and whose outrages were not kept outside the precincts even of the Court itself. An assortment of sorry evidence was brought before the Council, and Buckingham was shown to have trafficked with astrologers and cut-throats, whose designs seemed to have threatened even the life of the King. He had permitted them to address him in language which indicated that he had cherished ambitions of hair-brained folly, if not of treasonable insolence, and which flattered him with thoughts of his boundless influence with the mob. The matter was brought to Clarendon's knowledge by the King; but the Chancellor endeavoured as far as possible to hold aloof from the squalid inquiry, which was pushed forward chiefly by Arlington and his sworn ally, the Lady Castlemaine. A warrant was issued for Buckingham's apprehension; and when he withdrew from the Court, a proclamation was published that charged him with treason, and required his surrender. The sheriff's messenger that followed him to his retreat in the country was openly defied, and Buckingham managed for weeks to elude the clutches of the law.

The dignity of justice was degraded, and the King's warrant was mocked, as long as Buckingham thought he might rely upon the weakness of the King, and his fears of Buckingham's being provoked to reprisals which might attach new scandal to the Court. While the warrant was out against him, the Duke was bold enough to resort to Clarendon, and to invoke his aid in securing for him an interview with the King, in which he was confident that he might allay the passing anger. Clarendon could only advise his surrender, and assure him that nothing would be allowed to interfere with the even-handed administration of justice. Clarendon refused to denounce to Buckingham those who were his enemies, and evidently had no desire to secure for himself, by so doing, the gratitude or the alliance of such a man. The Duke at length found that it was either necessary or safe to surrender himself; and, in the examination which ensued, he showed all his usual insolence, and his confidence in his hold over the King. He treated the evidence as worthless, and forced Charles himself to admit that some of the correspondence had its origin in Court intrigue. The quarrel with Lady Castlemaine was composed, and from being bitter enemies, she and the Duke became sworn allies, who joined forces in denouncing Clarendon, and found abettors in those who had lately been the Duke's accusers. A man of much less than Clarendon's pride and dignity might well have despised such intrigues; but events soon proved how fickle was the support upon which he could rely in trusting to the gratitude of the King. The incident, as lightly closed as it had been recklessly begun, resulted only in knitting more closely the designs of those who were relentlessly pursuing the object of ending his power and procuring his downfall. No scruples were likely to stay the hands of the sorry band of conspirators.

CHAPTER XXV

THE TRIUMPH OF FACTION

JUST as peace had been cemented amongst his enemies, in preparation for a final attack, Clarendon was struck by a heavy blow of domestic bereavement. Throughout all the vicissitudes of his life, amidst the hardships of exile, and in the still heavier anxieties that surrounded his later years of seeming prosperity, Clarendon had ever found in his family a centre of affection, and a source of consolation—broken only for a season when his eldest daughter was raised, by her marriage with the Duke, to a position which Clarendon knew well involved danger, both for her and for himself. His wife had proved an affectionate helpmate, and it is to her credit that in these Court circles which jealousy had rendered vigilant of any trace of scandal, and keen to note any assumption of arrogance, the wife of the Chancellor provoked the attacks of no enemies, and managed to elude the wrangles and bickerings of the Palace. In the summer of 1667, after a brief illness, she who had been his life's companion was taken from him, when, deprived of all his early friends, he was most in need of the comfort of a loving heart. Belonging, by birth, to the higher grade of the squirearchy, Lady Clarendon had married in her own rank, with every promise of all the comfort and dignity of honoured station, and in the first years had enjoyed a rare felicity of happy wedded life. When the career of politics absorbed her husband, she submitted without murmur to

the interruption of that happiness, and in after years, without repining, she accepted the burden of the breaking up of her home, long years of anxiety, and the trials and privations of exile. She carried her later elevation to high rank without pride or ostentation. She does not lose her right to our respect because she earned what the Greek historian pronounces to be woman's highest glory, the least noisy echo either of praise or blame. That helpmate he lost just at the moment when all the forces of factious bitterness, of meanness, and of ingratitude, were preparing to vent their venom upon him.

The loss fell upon one already sorely tried by long and painful illness, against which he fought with courageous manliness. He was well aware that the weight of ill-will was rapidly accumulating against him. He had opposed the summoning of Parliament for the purpose of securing supplies to meet the exigencies of the war, on the ground that such anticipation of the day fixed for the resumption of its business was illegal. The expedient he had contemplated was a temporary loan, and this had been easily twisted, by the perverseness of his enemies, into a suggestion of raising funds without the consent of Parliament, in order to maintain a standing army. His advice had been set aside, and Parliament had been summoned for July 25th. But peace had already been secured, and immediate supply was no longer necessary. The King prorogued Parliament on July 29th, but not before the House had passed a resolution against a standing army. This abrupt dismissal of Parliament, when its presence was no longer called for, inflamed the anger against Clarendon. Those who had hoped to find an opportunity of pressing home their attack upon him in Parliament were indignant at the loss of this opportunity. Even the moderate men desired an explanation, and wished to be relieved of suspicions that arbitrary taxation

was once more to be attempted. Those who were scandalized by the proceedings of the Court were prepared to make their anger felt, and had no mind to be silenced. The country members had trooped to Westminster from all parts of England, when long journeys were no easy matter. They returned home in no pleasant humour, grudging at once the expense which they had borne, and the muzzling to which they were subjected;[1] and the murmuring all fell upon Clarendon's devoted head. It was just as it grew most threatening that his wife's death plunged him into mourning.

"Within a few days after his wife's death, the King vouchsafed to come to his house to condole with him, and used many gracious expressions to him."[2] When Charles had a scheme on foot that was peculiarly shabby or selfish, he knew how to conceal his intention under a gracious manner. The limit of his patience to suffer Clarendon's scoldings, or of his power to resist the pressure of his boon companions, was nearly reached; but he could yet hope that a solution might be found that would save any vexatious upbraidings. Clarendon might surely be persuaded to retire, and the peace of the Court would not then be broken by these troublesome wranglings. Less than a fortnight afterwards, the Duke of York was made the bearer of an astounding message. The King, he told Clarendon, had asked after him, and had been told by the Duke that "he was the most disconsolate man he ever saw;" that not only was he grieved for the loss of his wife, but that he feared he had lost the favour of his master, who seemed of late to have "withdrawn his countenance from him." Charles had made an evasive answer; but on a later day he explained himself more fully to the Duke. He knew, he said, from sure information that the Chancellor was "very odious" to the

[1] See Pepys' *Diary*, under July 29, 1667. [2] *Life*, iii. 282.

Parliament, and that at its next meeting an impeachment would certainly be moved. "Not only had he opposed them in all those things upon which they had set their hearts, but he had proposed and advised their dissolution." For the good of his Majesty's service, and for his own preservation, it was imperatively necessary that he should deliver up the seal. He might choose himself what should be the manner of doing so—whether it should be done personally, or through an intermediary. The Duke did not deny the danger, but he lamented the resolution of the King.

Clarendon was profoundly astonished. That the plainness of his criticism and advice had come to irritate the King, and that a persistent plotting against his influence was on foot, could hardly have been news to him. Strong as were his reasons for distrusting Charles, he can hardly have failed to have measured the depths of his dissimulation, or to have realized his readiness to yield to pressure. But his confidence in his own rectitude made him bold. He refused to believe that the majority of the House distrusted him, or that his enemies had that commanding influence which they claimed in order to intimidate the King. He was confident that, be their malice what it might, the Parliament was not of their mind. In that belief he demanded to speak with the King, before he delivered up the seal. He could not, indeed, go to the King, as gout disabled him, and the usages of the day did not permit of his being seen abroad so soon after the death of his wife; but the Duke did not doubt that he could prevail with the King to do as he had often done before, and come to Clarendon House. That hope was not fulfilled; the King declined to visit Clarendon, but was prepared to see him at Whitehall.

It may well be doubted whether Clarendon would not have served his own cause better, and that with no injury

to public interests, had he complied with the request. His health was now broken; the phalanx of his enemies was overwhelmingly strong; and even had he been allowed to breast the storm for a few years more, and had he found that courageous support which it was not in Charles's nature to give, in maintaining the fight, he must have carried on his work in the face of increasing petulance on the part of his master, and increasing bitterness of venom from his enemies. The hopes that had inspired him, when he saw the Restoration accomplished, had long vanished; it could have been with only a shadow of his old courage that he would still have continued to guide the ship of the State. Charles was shrewd enough in judging the temper of the nation, and could form a good estimate of the force of the opposition; and there is no reason to think that he was wrong in supposing that a timely surrender would have saved his Minister from anything more than the loss of office —a loss to which Clarendon would not have attached much importance. The very fact that his enemies were obnoxious to the darts of scandal, and that the nation was watching them jealously; the very probability that many would have resented the fall of a Minister who had notoriously fought against the flagrant indecencies of the Court—these were additional reasons why Arlington and his faction would have been content with the removal of the object of their hatred, and would perhaps have foregone further persecution. Clarendon's voluntary retirement, upon the private suggestion conveyed from the King, might have saved him from the hardships that darkened his closing years, and might have prevented his feeling, in its full force, the poison of the King's ingratitude.

But we must remember other considerations that could not be absent from Clarendon's mind. History had not yet many instances to show of a Minister who had fallen from

high place, and yet was suffered to lead a private life in peace. It was just a quarter of a century since Essex had used the menacing words in regard to Strafford, "Stone-dead hath no fellow." Arlington's ill-gotten influence might have felt itself threatened, if an ex-Chancellor with Clarendon's unrivalled prestige had been ready to permit his mansion in Piccadilly to be the resort of all who sought to form a powerful parliamentary opposition. The instinct of self-preservation may well have suggested to Clarendon that there might be few steps between his abdication and the Tower and scaffold. But still more, the central principles of his life forbade Clarendon to desert his post. He might not infrequently be prejudiced; he certainly was often sternly obstinate; he took too little account of the views of other men, and failed to adapt himself to the changed circumstances of the day. But never, in all his career, did he compromise with his duty, or give way to threats of personal danger. Adversity and he had long been familiar, and it may be doubted whether he would not have preferred to accept those few last years of banishment, rather than have yielded one jot of his own relentless resolution, or given occasion to his enemies to boast that they had made him shrink before them. We may doubt the wisdom of his decision; we cannot refuse our homage to his undaunted courage.

But the breach between the King and the Chancellor, and Clarendon's threatened fall, were already the theme of Court gossip. The Duchess learned that his resignation had been demanded, and she, with his old friend Archbishop Sheldon, and the Duke of Albemarle, joined in remonstrating with the King in no measured terms. Other lesser persons followed their example, and Charles soon found that the change was not to be carried out without seriously impinging on his own cherished ease. He protested that

he sought nothing but Clarendon's safety, and that he had believed from what he had heard "of the extreme agony the Chancellor was in upon the death of his wife, that he had himself desired to be dismissed from his office." Albemarle was sent to require Clarendon's presence at Whitehall, and seems both to have believed, and to have desired, that what was but a passing misunderstanding might be easily arranged. The interview, at which the Duke of York was present, took place upon August 26th. Charles received him graciously and protested his sense of his high services, and his earnest desire to preserve him from the malice of his enemies. He did not scruple to add that he "had verily believed" that the demand for his resignation "had his own consent and desire." He had fancied that his brother concurred, however much he now protested. It is not impossible to believe that James may have found it convenient not to speak in exactly the same tone to his father-in-law and to his brother.

But apart from all mistakes as to personal feeling, the King was positive not only as to the intention of impeachment, but that the fate of Strafford would be the probable result for Clarendon, if he did not yield to the storm. If he did so yield, Charles was confident that he could preserve him, and that he could in this way best provide for his own business. He added a consideration which really gave the lie to what he had just said. "He was sorry that the business had taken so much air, and was so publicly spoken of, that he knew not how to change his purpose." He had surely a better reason for not changing his purpose, if he was persuaded that no change could be made without hazard to the Chancellor's life.

Clarendon's reply to Charles's shuffling was firm and dignified. He had no desire that the King should change his resolution. But he would not suffer it to be believed that

his delivery of the seal was his own willing act. "He should not think himself a gentleman, if he were willing to depart, and withdraw himself from office, in a time when he thought his Majesty would have need of all honest men." Neither was he ready to acknowledge that the deprivation was "in order to do him good." It was "the greatest ruin he could undergo," and instead of saving him, it would deliver him, a discredited man, to the malice and vengeance of his enemies. His last declaration was the most scornful of all.

"He renounced his Majesty's protection or interposition towards his preservation. He feared no censure, if his Majesty should reveal all that he had counselled him in secret. If any one could charge him with a crime, he was ready to undergo the punishment."

Such words as these are strange, to be uttered by a falling Minister to his King, when that King is trying to cloak his own meanness by a pretence of a single-minded desire to save that Minister; they would be stranger still if they had been used by a man conscious of any guilt. But Clarendon did not stop there; he turned the tables fiercely upon the King.

"He doubted very much that the throwing off an old servant who had served the Crown in some trust near thirty years (who had the honour by the command of his blessed father, who had left good evidence of the esteem he had of his fidelity, to wait upon his Majesty when he went out of the kingdom, and, by the great blessing of God, had the honour to return with him again; which no other counsellor alive could say), on a sudden, without any suggestion of a crime, nay, with a declaration of innocence, would call his Majesty's justice and good nature into question."

Charles had pretended to be working for his servant's safety, and in accordance with what he thought that he

desired. That servant brushes aside his subterfuges, renounces his protection, and plainly tells him that the course he proposes to follow will stamp him as an ungrateful master, and drive every honest man to abandon his service. No wonder that the King seemed "very much troubled." He pleaded the power of Parliament, and how he was "at their mercy." Clarendon could only advise him not to act the coward. He had a warning in the fate of Richard II. of what faint-heartedness in a King might bring. In his last thrust Clarendon forgot—as he himself admits—the bounds of prudence. "In the warmth of this relation, he found a seasonable opportunity to mention the Lady with some reflections and cautions, which he might more advisedly have declined." The close of his final interview was perhaps an ill-chosen moment for wounding the King's pride by another reference to the foul-mouthed termagant, who now swayed the Court, and trampled on her royal lover with the usual insolence of the pampered courtesan.

The visit of the King and the Duke to Clarendon's chamber at Whitehall, where the interview took place, lasted two hours, and at its end the King rose in silence and retired ill-pleased. Meantime the tongues of the Court gossips were busy. When the conference closed, the garden was filled with a crowd of courtiers, eager to watch the countenance of the King. As the Chancellor left the presence of his master, "the Lady, the Lord Arlington, and Mr. May,[1] looked together out of her open window with great gaiety and triumph, which all people observed." The fallen Minister could spare a moment's attention, to mark the dramatic fitness of the scene.[2]

[1] Bab May, the Keeper of the Privy Purse, and minister to Charles's pleasures. See *ante*, p. 244.

[2] Clarendon, *Life*, iii. 291. Pepys gives us the scene with more detail (*Diary*, August 27). "Mr. Pierce, the surgeon, tells me how this business of my Lord Chancellor's was certainly designed in my Lady Castlemaine's

Two or three days passed, during which the plot ripened amidst the gossip of the quidnuncs. To those of his more sober-minded counsellors, who spoke for the Chancellor, the King professed much kindness for him, but "he had made himself odious to the Parliament, and was no more capable to do him service." The Lady, Arlington, and Bab May still honoured him by their fervent denunciation, and by their sure prediction of his speedy fall. Evelyn visited him the day after his interview with the King, and "found him in his bedchamber, very sad." "He had enemies at Court," Evelyn goes on, "especially the buffoons and ladies of pleasure, because he had thwarted some of them and stood in their way; I could name some of them." The next day Evelyn dined with him, and found him "pretty well in heart, though now many of his friends and sycophants abandoned him." Clarendon knew the world too well to be surprised or grieved by such abandonment, or to allow it to affect his fortitude.

The Duke of York, none of the most adroit or persuasive of advocates, still stood his friend, and endeavoured to bend the purpose of the King. Sir William Coventry, always—although afterwards he disclaimed it to Pepys—one of the most pronounced of Clarendon's enemies, found it necessary to resign his post of secretary to the Duke, and the place was filled by one whom Clarendon suggested. It may be doubted whether the change was meant as more than an outward sign to Clarendon that he still retained his son-in-law's respect. The fight between his friends and enemies still

chamber; and that, when he went from the King on Monday morning, she was in bed, though about twelve o'clock, and ran out in her smock into her aviary looking into Whitehall Garden; and thither her woman brought her her nightgown; and stood joying herself at the old man's going away; and several of the gallants of Whitehall, of which there were many staying to see the Chancellor's return, did talk to her in her bird cage; amongst others Blancfort (the Marquis de Blanquefort), telling her she was the bird of Paradise."

proceeded apace. When the Duke of York attempted to stem the tide against him, Charles only replied, "that he had gone too far to retire; that he should be looked on as a child if he receded from his purpose." Selfishness and love of ease blunted Charles's judgment; they did not interfere with that obstinacy which was a dominant trait in the family character. Only two days later he took the decisive step, and sent Secretary Morrice with a warrant under the sign manual, to demand the seal.[1] The Chancellor delivered it "with all expressions of duty to the King." If Charles felt the stings of conscience for his sorry action, he could comfort himself with the congratulations of the Court pandar, Bab May. That worthy fell upon his knees, kissed the King's hand, and told him "that he was now King, which he had never been before."[2] It was an odd change, from the dignified loyalty of Clarendon to the fulsome flattery of Bab May. Even the scanty pride that had survived in one degraded by sottish debauchery might have been nauseated by the contrast.

Clarendon was mistaken if he thought that compliance with the King's request had either satisfied the rancour of his enemies, or secured for him the King's support. At first he hoped the storm was over, and after an interval sufficient to show that he was conscious of no guilt, and sought to hide himself from no inquiry, he intended to retire to the country, and live as a private gentleman. He had no fear either of Parliament or of his countrymen, and was ready to abide their question. He heard that the King dreaded his assumption of the part of leader of a Parliamentary opposition, and hastened to assure him that he had no such intention. His friends still resorted to his house, and those who respected themselves declined, at the bidding

[1] The seal was entrusted to Sir Orlando Bridgeman, as Lord Keeper.
[2] See Pepys' *Diary*, November 11, 1667.

of an ignoble clique, to lessen the signs of their respect for him. The King had not courage enough to forbid such demonstrations; but at the instigation of his new confidants he sulked and uttered vague hints, to which Clarendon's enemies gave open and more definite utterance. They had secured the cordial alliance of Buckingham, by persuading him that Clarendon had been at the root of his recent prosecution. Thus reinforced they resolved to make their vengeance more complete.

The King had induced Clarendon to yield, as the only means by which the wrath of Parliament could be stayed, and that had undoubtedly been the pretext put forward to the King by Arlington, and those who acted with him. But now they went further. So long as Clarendon remained at liberty, they dreaded his influence, and persuaded the King that he would spread suspicion and disaffection, and would obstruct every design of the Government. Charles was weak enough to believe a slander, which no one who has studied Clarendon's life and character can for one moment accept, and which Clarendon himself had expressly repudiated. When the Duke of York expostulated, Charles shuffled and prevaricated after his wont. "All might have been quiet, if only the Chancellor had been more practicable; but he had delayed so long, that now the King was compelled 'in the vindication of his honour,' to give some reason for what he had done." Those who praised the Chancellor so loudly were reflecting upon himself. But if he were freed from these inconvenient demonstrations, the Chancellor would not suffer, and he would use his sons as kindly as ever. Charles was not rancorous, but his gleams of good nature only mark his cowardice more strongly.

In his Speech at the opening of Parliament on October 10th, the King attempted to smooth matters over. "There had been miscarriages;" but he "had altered his counsels;"

"what had been done amiss had been by the advice of the person whom he had removed from his counsels, and with whom he should not hereafter advise." No man ever betrayed a faithful servant with more consummate self-abasement.

The House was asked by some to thank the King "for removing the Chancellor," but it was thought premature to do so, and a committee was appointed to draft a reply. The King—so Clarendon's enemies represented—was offended by the omission, and the Court party pressed for a specific vote, which should endorse his action in the dismissal. That was carried after a keen debate, and by similar Court action it was pushed through the House of Lords. The Duke remonstrated, but was told by the King "that it should go the worse for the Chancellor if his friends opposed." We need not be surprised that Charles doubled the weakness of the coward by the allied blustering of the bully.

Again the King thought that he had satisfied the rancour of Clarendon's enemies, and had vindicated sufficiently the petty jealousy which he himself still felt at the memory of the Chancellor's sway. But he soon found that he had to satisfy more exigent taskmasters. Clarendon's power, they urged, was only scotched, not killed. His influence would soon be supreme, and "he would come to the House with more credit to do mischief." Grounds of accusation were greedily sought for, and readily supplied,[1] and these con-

[1] Briefly stated, these were—

1. That the Chancellor had advised the King to dissolve the Parliament and said there could be no further need of Parliaments. That it would be best for the King to raise a standing army, and govern by that.
2. That he had reported that the King was a Papist in his heart.
3. That he had advised the grant of a Charter to the Canary Company for which he had received great sums of money.
4. That he had raised great sums of money by the sale of offices.
5. That he had introduced an arbitrary government into his Majesty's several plantations.

trivances soon resulted in a violent harangue from Edward Seymour, who now made himself conspicuous in the attack upon the fallen Minister. It is not easy to trace the special source of Seymour's violence, but we can find sufficient to account for it in the character of the man himself. He was of illustrious descent, as the head of the great house of Seymour ;[1] possessed of abundant wealth, and unbounded territorial interest in the west. But his birth and wealth were accompanied by overweening pride and ambition, and by a restlessness of rancorous temper that made him for more than a generation a thorn in the side of every successive Government. With high ability, he combined the character of a selfish voluptuary ; and although possessed of great wealth, his support was always to be bought by the offer of a place, and he did not disdain the malpractices of a cozener in his eagerness to increase his store. After serving as Speaker, he remained in the Parliament, over which he had presided, as a captious and unruly partisan, forgetting alike dignity and honour in his factious virulence.

6. That he had issued *quo warrantos* against most corporations till they paid him good sums of money.
7. That he received large sums for the settlement of Ireland.
8. That he had deluded the King, and betrayed the nation in all foreign treaties.
9. That he had farmed the customs at under rates, in return for money.
10. That he had received bribes from the Vintners, to free them from penalties due.
11. That he had raised a great state, and got grants of Crown lands.
12. That he had advised the sale of Dunkirk.
13. That he had caused letters under the great seal to be altered.
14. That he had arbitrarily raised questions of titles to land.
15. That he had been the author of the fatal counsel of dividing the fleet in June, 1666.
16. That he had been in correspondence with Cromwell during the King's exile.

[1] Seymour was the direct representative of the great Duke of Somerset, the Lord Protector ; but the Dukedom had, by special remainder, passed to a younger son, over the head of Edward Seymour's ancestor. "You are of the family of the Duke of Somerset," said William III. when he was first presented. "Pardon me, Sire," answered Seymour, "the Duke of Somerset is of my family."

Such was the spokesman chosen by Clarendon's enemies to frame the indictment. It was enough for Seymour that the task seemed likely to gratify his own ambition. His pride of birth and station no doubt gave a zest to the attack upon one who had raised himself from the smaller squirearchy to the place of foremost Minister. The Chancellor, he avowed vaguely, had designed to govern by a standing army. Seymour swore that he would produce ample proofs, and meantime he urged that a charge of treason should be laid against Clarendon in the House of Lords. The wiser spirits, and those who preserved some regard for the decencies of justice, refused to assent to a course so flagrantly illegal, upon the unsupported clamour of an arrogant youth.

After protracted debate a committee was appointed to examine precedents in cases of impeachment. On October 29th, it presented its report, and another keen debate ensued. Some argued that they should prefer a general impeachment, without adducing any special charge ; others, like Maynard, argued that " common fame is no ground to accuse a man where matter of fact is not clear ; to say an evil is done, and therefore this man hath done it, is strange in morality, more in logic." As a result, another committee was appointed to reduce the charge against the Chancellor into heads ; and that committee then formulated their charges in seventeen heads. Again a debate ensued upon these charges. They were discussed *seriatim*, and the sixteenth head was reached without one being found to involve a charge of treason.

But the zealots had now gone too far to turn back. Another of the band, conspicuous for his profligacy even in a Court of libertines, Lord Vaughan, the son of the Earl of Carbery,[1] undertook to prove another charge. The

[1] With bitterness, which is perhaps pardonable, Clarendon gives him a line of unflattering portraiture: " A person of as ill a face as fame, his looks and his manners both extreme bad " (Clarendon, *Life*, iii. 317).

Chancellor, he avowed, had discovered the King's secrets to the enemy. He was prepared to prove it, and, to stimulate the virulence of those who were bent on Clarendon's ruin, Vaughan passed the whisper along the benches, that this was in truth the source of the King's anger against him. Charles, it would seem, had dissembled the cause of his own jealousy to his Minister; he was content that it should be suggested as a new incentive to that Minister's foes. Opposition was trampled upon, and, with unseemly haste, on November 12th, Seymour was sent to the House of Lords to impeach the Earl of Clarendon at the bar, and to desire that his person be secured.

A new stage in the fight now began. The House of Lords, weak as, in Clarendon's opinion, it had often been in yielding to the encroachments of the Commons, yet contained many members who were not prepared to abandon the very semblance of justice, and of dignified procedure, either at the bidding of a Court clique, or before the unseemly rancour of a party in the House of Commons. They urged that the demand of the Commons should be peremptorily refused, and they maintained their ground so firmly before the blustering of those who were ready not only to commit, but to convict, the Chancellor, in obedience to the dominant faction, that the debate was perforce adjourned. The delay continued, and the dispute raged fiercely. To the persecution of the Chancellor there was now added the additional zest of a struggle between the two Houses. All business was suspended while the fight went on. The angry clique saw all their schemes threatened, the King found his cherished ease disturbed; by some means or other the wrangle must cease. To those who refused to bend to the storm, hints were conveyed that they were incurring the anger of the King. Desperate plans were discussed; and if other means failed, a guard of soldiers might be sent

to arrest the Chancellor and convey him to the Tower. How far Charles was privy to these designs, it is impossible to say. Reverence for the law would be no potent motive either to him, or to the gang who had for the moment secured his confidence.

His friends urged Clarendon to make his escape. They saw the danger increasing, and they guessed that no ill-timed interruption would be placed in his way. Such an escape would relieve the King of a vexing situation, and would satisfy those enemies who might, by means of it, effectually destroy his reputation and his influence. An escape would doubtless have been construed as an evidence of guilt; but to give way to the malignity of his persecutors would at least have been better than life-long imprisonment, or death upon Tower Hill. To yield to such advice was not in keeping with Clarendon's character. He was eager to stand his trial. Rightly or wrongly, he did unquestionably feel absolute confidence in the support of his countrymen at large. Even were he proved to have been mistaken, and were the power of his enemies greater than he reckoned, he was yet ready to bear the consequences so long as his good name was secure. Were he to fly, he would abase his pride before his foes, and would give just ground for impugning his innocence. Nay, more, how could he trust that he would not be captured at the first attempt to escape? It might only be a trap laid by his enemies, who would bring him to trial with that frustrated attempt as their securest evidence of his guilt. Rumours were rife of the King's growing irritation, of the specific charges to be preferred, of the proposed constitution of the commission by which he was to be tried. The Duke of York, still faithful to the Chancellor's cause, resolved to seek an explanation from the King. He asked if his Majesty was determined either to have the Chancellor's life, or his

condemnation to perpetual imprisonment. Charles repudiated with his usual facility, either idea, and swore that he wished the matter were ended. Had the Chancellor, asked the Duke, ever proposed to govern by an army? "Never," answered the King; "on the contrary, his fault was that he always insisted too much upon the law." The Duke asked again, if he might say as much to others. "With all my heart," said the King.

The statement of the King was creditable, and gave hopes to Clarendon's friends. But when the words were repeated, they were found to be disheartening to the conspirators, who thereupon carried their complaints to the King. "They had tried to serve him, and now knew not how to behave themselves." Their weapons would be gone, if the King indulged in such inconvenient candour. The messenger was repudiated by the King with just as much readiness as he had shown in giving his original assurances. The Duke remonstrated, and the King's only answer was "that he would be more careful hereafter what he said to him." The Duke might surely have learned that the King's candid truths were often uttered only to be repudiated when convenient.

Once more the petty scandals of licentious intrigue obtrude themselves at the most critical juncture of a grave historic drama. In no transaction where Charles was concerned could such sordid details be long absent. The King's fancy had shortly before been attracted by a new denizen of the "Lady's" drawing room, and he had become so infatuated with the charms of Miss Stuart,[1] that he had

[1] Frances Teresa Stuart, born in 1648, was the daughter of Dr. Walter Stuart, a cadet of the House of Blantyre. Her father, an ardent Royalist, fled from the vengeance of Parliament, and Frances was brought up at Paris, where her beauty and peculiar charm attracted even royal attention. When she joined the household of Queen Catherine in England, her loveliness captivated all hearts, and stirred the fire of passion even in such a jaded voluptuary as the King. Her subtle combination of virgin simplicity and adroit prudence only inflamed him the more. For once he was consumed

seriously contemplated a divorce, which might enable him to offer her those terms of lawful marriage which could alone overcome her stubborn virtue, or her ambitious prudence. Whether any such designs were actually entertained or not, the amorous hopes of the King were speedily disappointed by the lady's marriage with the Duke of Richmond. The royal lover was ignominiously defeated in the only sort of rivalry which seriously touched him, and the pride of the jaded voluptuary was more easily wounded than the honour of the King. His vanity was ruffled, and nothing was easier for Clarendon's enemies than to inspire Charles with the belief that his Chancellor had arranged the marriage as the best means of stopping his licentious freak. The story was absolutely untrue; but the certainty that it had been conveyed to the King[1] induced Clarendon to write to Charles a letter which might well have stirred remorse even in a heart as hardened by selfishness as his—

"MAY IT PLEASE YOUR MAJESTY,

"I am so broken under the daily insupportable instances of your Majesty's terrible displeasure, that I know not what to do, hardly what to wish. The crimes which are objected against me, however passionately soever pursued, and with circumstances very unusual, do not in the least degree fright me. God knows I am innocent in every particular as I ought to be; and I hope your Majesty knows enough of me to believe that I had never a violent appetite for money that could corrupt me. But, alas! your Majesty's declared anger and indignation deprives me of the comfort

by an ardent love, and tortured by a real jealousy. Hence his anger at the runaway match and all concerned in it.

Frances Stuart steered her course with safety through many quicksands, and died, not without honour, in 1702.

[1] An accidental meeting of the King with Clarendon's eldest son, Lord Cornbury, at the door of Miss Stuart's lodging, contributed, it is said, to the King's belief of the Chancellor's agency in the matter. Ludlow can have had no personal knowledge of the circumstances. But he does not scruple to describe the marriage as a contrivance of Clarendon, "that old Volpone." Volpone was a character in one of Ben Jonson's plays.

and support even in my own innocence, and exposes me to the rage and fury of those who have some excuse for being my enemies; whom I have sometimes displeased, when (and only then) your Majesty believed them not to be your friends. I hope they may be changed, I am sure I am not, but have the same duty, passion, and affection for you that I had when you thought it most unquestionable, and which was and is as great as ever man had for any mortal creature. I should die in peace (and truly I do heartily wish that God Almighty would free you from further trouble, by taking me to Himself) if I could know or guess at the ground of your believing that I have said or done somewhat, I have neither said nor done. If it be for anything my Lord Berkeley hath reported, which I know he hath said to many, though being charged with it by me he did as positively disclaim it; I am as innocent in that whole affair, and gave no more advice or counsel or countenance in it, than the child that is not born; which your Majesty seemed once to believe, when I took notice to you of the report, and when you considered how totally I was a stranger to the persons mentioned, to either of whom I never spake a word, or received message from either in my life. And this I protest to your Majesty is true, as I have hope in Heaven; and that I have never wilfully offended your Majesty in my life, and do upon my knees beg your pardon for any overbold or saucy expressions I have ever used to you; which, being a natural disease in old servants who have received too much countenance, I am sure hath always proceeded from the zeal and warmth of the most sincere affection and duty.

"I hope your Majesty believes, that the sharp chastisement I have received from the best natured and most bountiful master in the world, and whose kindness alone made my condition these many years supportable, hath enough mortified me as to this world; and that I have not the presumption or the madness to imagine or desire ever to be admitted to any employment or trust again. But I do most humbly beseech your Majesty, by the memory of your father, who recommended me to you with some testimony, and by your own gracious reflection upon some

one service I may have performed in my life, that hath been acceptable to you; that you will by your royal power and interposition put a stop to this severe prosecution against me, and that my concernment may give no longer interruption to the great affairs of the Kingdom; but that I may spend the small remainder of my life, which cannot hold long, in some parts beyond the seas, never to return, where I will pray for your Majesty, and never suffer the least diminution in the duty and obedience of,

"May it please your Majesty,

"Your Majesty's most humble and most obedient subject and servant,

"CLARENDON.

"*From my house this 16th of November.*"

To our ears these words have something of exaggerated humility; as a fact they only clothe in the formal language of the day, that overflowing and sincere loyalty which Clarendon wore on a background of indomitable pride. That pride was so fundamental, that the high-sounding adulation is made almost more palpable by the evident restraint which he places upon his underlying indignation. His love for the King was honestly felt; but it was the fruit only of long past memories, of the tenderest associations of his life, of his profound reverence for his first master. He scarcely even recognized how utter was his contempt for the man himself, as he now was, with all his vulgar licentiousness, all his superficial good nature, all his essential selfishness and cynicism. Clarendon himself would have been surprised had he known how much of that contempt he had unconsciously revealed, by an occasional phrase, or a half-perceptible stroke of sarcasm. The effect of the letter was plain enough, and it conveyed a covert defiance from the fallen Minister, both to his faithless master and to his triumphant foes. "Withdraw your charges, and I shall free you of my presence, conscious of my own innocence;

but do not expect that I shall slip away like a scared criminal to avoid the consequences of my guilt, or that your cowardly hints have power to move me."

Charles was free to accept the letter as a passionate appeal from a loyal servant to all that there was of self-respect and honour in his breast. If he so accepted it, he acted as only the boundless selfishness of cynicism could have suggested. He read the letter, held it over a candle until it was consumed, and then calmly said that he wondered that the Chancellor did not withdraw himself. But, indeed, we can scarcely doubt that the King was astute enough to see that the letter was, in truth, a note of defiance. If he was to play the craven, Charles was bid to play it in the light of day. To such a master of shuffling and evasion, the clear-sighted determination which made Clarendon insist upon a point of form in demanding an open order to depart, and which compelled his refusal to allow a triumph to his foes, might well seem incomprehensible. The result was only that Clarendon was besieged with new suggestions that he should escape, by a flight which it was more than hinted would be connived at. Charles's unkingly task was to bring about by hint and stratagem, what he was not man enough to prescribe by order. He satisfied Clarendon's enemies by openly proclaiming his anger at the Chancellor's delays; he kept up a pretence of compunction to Clarendon's friends, and begged them to persuade him how wise and prudent flight would be.

Herbert Croft, now Bishop of Hereford, was one of the emissaries of the King.[1] He was no pleasing agent to

[1] Croft belonged to a Roman Catholic family of some importance. He had first been educated at St. Omer's, although afterwards he was admitted to the Anglican Church, and became an object of Laud's special patronage. This naturally secured to him the favour of Clarendon, and, as a fact, Clarendon informs us that he had placed Croft under heavy obligations. But the friendship had not continued. In later years Croft showed latitudinarian tendencies in his writings, which may have been apparent in his conversation

Clarendon. He was not churchman only, but also an aristocrat, of great wealth, whose jealousy of Clarendon's newly acquired rank had made him, like Seymour, keen to reduce the pride of one whom he deemed an upstart, and led him to show ingratitude for Clarendon's early patronage. He sought an interview with the Chancellor, through Clarendon's early and trusted friend, George Morley, now Bishop of Winchester. He explained his mission with all the awkwardness of one who had a double part to play. "He had good authority for what he had to say." But he shunned any mention of the King's name, until his more candid brother, the Bishop of Winchester, blurted out, to Croft's annoyance, his previous confession to the Bishop that he came by the orders of the King. He could not contradict the other, but could only repeat that he could not be so mad as to interpose without authority. The Chancellor was meant to infer the truth, but he was to have no express assurance of it. All Croft could say was "that if Clarendon would withdraw himself beyond the seas, he would pledge 'his own salvation,' that no interruption to his journey would be given."

The Chancellor was inconveniently deaf to innuendoes. If he had the commands of the King, or clear evidence that the King desired it, he would face even the discredit of retreat. Without such orders or such assurance, he would consult his own honour, and abide the issue. Clarendon was determined to play only with the cards upon the table. Croft fell back upon his former subterfuge, and at length it was agreed that Clarendon should have a pass under the royal warrant which would ensure him against misconstruction. So the interview ended.

at an earlier date, and may well have alienated Clarendon. The fact, however, that Croft belonged to a family of high rank and large possessions may still more probably have induced him to feel jealous of the quick rise of the more plebeian Edward Hyde, and may have bred ill-will between them.

But he had not sounded the depths of Charles's cowardice. Word came that the King could not grant the pass; it would incense the Parliament; he could not face the risk that he asked his aged and discarded servant to run. Clarendon held to his former resolution. He would not obey even his sovereign in a trick. His decision may have been stubborn and ill-advised; it was at least courageous. His friends vainly sought to bend his will. Ruvigny, the new French ambassador, who had come to deal with Clarendon as first Minister, in his master's affairs, and had soon discerned his altered situation, sent word to him of the intrigues he found at Court, and advised his withdrawal to France, where he would find a ready welcome. Clarendon remained immovable; and all the bluster of enemies, like Seymour, who swore that the mob would wreak their vengeance on Clarendon's adherents, failed to crush his will. With a pardonable triumph, Clarendon tells us how he scorned to take a mean advantage which offered itself against his adversaries. Arlington had made many enemies by his insolence, and Coventry was deeply involved in charges of malversation in dealing with the monies of the navy, and in selling offices in the Admiralty. Clarendon's friends urged him to divert the storm from himself by betraying the misdeeds of these his foes. The suggestion was made in vain. "No provocation," he declared, "should dispose him to do anything which would not become him." These men were Privy Councillors, and of what he saw amiss in them, he could inform the King. It was no business of his to protect his own innocence by counter charges. He would leave them to their fate. He would neither cower before the storm, nor divert it by spreading scandal against others.

It seemed as if the deadlock between the two Houses, and the tortuous twistings of the King and the angry faction

that had acquired his confidence, had come to an insoluble entanglement.

The knot was at length loosed by the Duke of York's intervention. James had now recovered from an attack of small-pox, which had temporarily laid him aside, and he received the personal commands of the King to "advise the Chancellor to be gone." The Duke had no alternative but to convey this message, through the Bishop of Winchester, to Clarendon. The King had yielded to Clarendon's terms, so far as to send, through his brother, what was next to a personal order. Hyde, however reluctant, had no alternative but to obey. On the night of November 29th, he took coach, with two servants only. A boat was ready for him at Erith, and he there embarked. He had a stormy passage, which lasted three days and nights, and, sorely against his will, as he knew the evil construction that would arise from his resting on French soil, he was compelled to land at Calais.

When the Chancellor left, he deemed it right in the interests of his own honour, to leave a letter of explanation, which was read to the House of Lords by the Earl of Denbigh.[1] It grieved him, he said, that he should be the

[1] An early f iendship, long interrupted by estrangement during the Civil War, perhaps accounted for Clarendon's choice of an intermediary. Basil Feilding, in age a contemporary of Clarendon, was the son of William Feilding, whose marriage to the sister of the first Duke of Buckingham had procured him advancement at Court and high rank in the peerage as Earl of Denbigh. That Earl had joined the Royalist forces, and died of wounds received in battle in 1643. His son had, in 1628, been called to the House of Lords as Lord Feilding; but for some reason, in spite of his antecedents, and the strong remonstrances of his family, he joined the side of the Parliament, and became one of their leading commanders. When Commissioner at Uxbridge, in 1645, he renewed his old intercourse with Hyde, who formed a high estimate of his abilities, and Denbigh explained to Hyde his desire to get rid of his present allies, and do something for the royal cause. "If any conjunction fell out," he said, "in which by losing his life he might preserve the King, he would embrace the occasion, otherwise he would shift the best he could for himself" (*Hist. of Rebellion*, viii. 246). He was one of several peers whose pride was wounded, and whose resentment against Parliament was aroused, by the injury to their own order. He took no part in the King's

cause of difference between the two Houses, and of obstruction to the business of the King. It was his misfortune to stand accused of two charges, neither of which had any foundation: that he had enriched himself wrongfully, and that he had been sole and chief Minister, and was thus responsible for all miscarriages. As to the first, he could only avow that he had received nothing, except by the bounty of the King, beyond the lawful perquisites of his office, as regulated by the traditions of the best holders of that office. For no courtesies or favours, of which he had been the medium, had he ever received as much as five pounds. He was now more than £20,000 in debt, and, when his debts were paid, his estate was not worth two thousand a year. All that he possessed did not amount to what the King in his bounty had granted him—the gift of £20,000 when he first came over; £6000 from the Crown estates in Ireland, and a yearly allowance to supplement the scanty profits of his office. As Minister, he had only shared power and responsibility with others; and it was notorious that, after the dismissal of Secretary Nicholas, his influence had been greatly diminished. The new appointments to the Privy Council had been, none of them, given to his intimates, and many of them had gone to his most implacable enemies. As for the mischief of the war, it had been undertaken against his earnest advice, and his efforts to negotiate alliances, and to introduce order into the conduct of the war, had been thwarted by the very men who now charged him with the results of their own misdeeds. The conduct of foreign affairs rested, not with him, but with the secretaries: and so far from having

trial, and gradually withdrew from the Parliamentary side. In 1660, he managed to prove himself of sufficient use to the Royalists, to secure indemnity, and a certain degree of favour. He retained enough of his former reputation as an ally of Parliament to be characterized by Ludlow as "a generous man, and a lover of his country."

been sole Minister, his advice had, of recent years especially, been often opposed, solely because it was his. The storm now raised against him was due only to his having discharged his duty without fear or favour. He closes with these dignified words—

"This being my present condition, I do most humbly beseech your lordships to retain a favourable opinion of me, and to believe me to be innocent from those foul aspersions, until the contrary shall be proved: which I am sure can never be by any man worthy to be believed. And since the distemper of the time, and the difference between the two Houses in the present debate, with the power and malice of my enemies, who give out that I shall prevail with his Majesty to prorogue or dissolve this Parliament in displeasure, and threaten to expose me to the rage and fury of the people, may make me looked upon as the cause which obstructs the King's service, and the unity and peace of the kingdom; I humbly beseech your lordships, that I may not forfeit your favour and protection, by withdrawing myself from so powerful a persecution, in hopes I may be able, by such withdrawing, hereafter to appear and make my defence, when his Majesty's justice, to which I shall always submit, may not be obstructed or controlled by the power and malice of those who have sworn my destruction."

Not now only, but in the later years of his lonely banishment, Clarendon's unbending courage saved him from despair, and he continued to hope for brighter days.[1] But he underrated the rancour and the twistings of his enemies. The very men who had used every device to force him to retire, and who knew that he was at Calais, now hypocritically urged that the ports should be stopped, and pretended to be eager for his apprehension. The Commons urged that he should be committed, in absence, on the general charge of treason. The Lords declined to accede

[1] In his preface to his commentary on the Psalms, addressed to his children, in 1670, he still hopes "that I shall yet outlive this storm."

to their request, and, in impotent revenge, the Commons resolved that his apology should be publicly burned by the hangman. In this innocuous resolution the Lords were persuaded to concur.

From Calais Clarendon addressed the following memorable letter to the University of Oxford :—

"Good Mr. Vice-Chancellor,

"Having found it necessary to transport myself out of England, and not knowing when it will please God that I shall return again, it becomes me to take care that the University may not be without the service of a person better able to be of use to them, than I am like to be. And I do therefore hereby surrender the office of Chancellor into the hands of the said University, to the end that they may make choice of some other person better qualified to assist and protect them than I am. I am sure he can never be more affectionate towards it. I desire you as the last suit I am like to make to you, to believe that I do not fly my country for guilt, and how passionately soever I am pursued, that I have not done anything to make the University ashamed of me, or to repent the good opinion they once had of me. And though I must have no further mention in your public devotions, which I have always exceedingly valued, I hope I shall always be remembered in your private prayers, as, good Mr. Chancellor,

"Yours, etc.,

"Clarendon.

"Calais, Dec. 17, 1667."

Archbishop Sheldon, his life-long friend, was elected as his successor.

Clarendon stayed on at Calais, at a loss where he should turn. He knew the suspicions which he might arouse, if he resorted to Paris, and meanwhile wrote to the Earl of St. Albans, and desired to know whether he might proceed to Rouen. The Earl of St. Albans acted as the representative

of the Queen Dowager,[1] and from her Clarendon could scarcely expect a cordial welcome. St. Albans' reply was cold, but Clarendon learned both from him, and from the Minister Louvois, that he had full permission to proceed to Rouen. At first he received all courteous attention from the representatives of the French Court. His only desire was to reach some mild climate before the rigour of winter, which he was in no condition to sustain, should set in. With all proper respect and escort, he passed on to Boulogne; from thence to Montreuil, and next day to Abbeville. On Christmas Eve he reached Dieppe, within a day's journey of Rouen. The gates of Dieppe were opened at an unusually early hour next morning, at his request, to allow him to begin that journey betimes. But, before he reached Rouen, a change had come in his treatment by the French authorities. As he approached the halting-place about noon, he was stopped by a gentleman on horseback, who inquired whether "the Chancellor of England was in the coach," and, on learning that he was, presented to him a letter from the French King, desiring him to follow the directions which the bearer would give him. These were, that his presence in France might occasion a breach between the Crowns; that he was to make what speed he could to quit the dominions of the king; and the bearer was to escort him, for his accommodation, until he saw him out of France.

Clarendon was sorely perplexed by this unexpected message, which was explained by the negotiations now on foot between the French and English Crowns. It was with difficulty that he persuaded his appointed escort to accompany him to Rouen, rather than return to Dieppe, which the escort would have preferred as the shortest way out of France. The journey to Rouen was a hard one, and the Chancellor was bruised by repeated overturnings of the

[1] To whom he was generally believed to be married.

coach. He was in no state to make forced journeys, and begged time to write to Paris, and ask for less stringent orders. With difficulty this small concession was obtained. But the reply from the French Court only brought more peremptory orders to expedite his departure. His health was now grievously broken. The severity of the weather, the rapidity of his journeys under the most trying conditions, above all, the anxieties and perplexities of his position, had brought on an aggravated attack of the gout, and he was unable either to stand or walk. Again he pleaded for that delay and consideration which even the most meagre courtesy and the barest humanity regard as the prerogative of the sick. He had no wish to linger on the inhospitable soil of France, and desired only to reach Avignon, so that he might be beyond the King's boundary; but he begged at least to be allowed to rest at Orleans. The reply was barbarous in its peremptoriness. "His Majesty was much displeased that he had not made more haste; if he chose to pass to Avignon, he might rest one day in ten, which was all his Majesty would allow."

Meanwhile the virulence of his enemies at home was as relentless as the barbarity of the French Court. The party which still adhered to him in both houses was sufficiently large to be formidable to his opponents, who could only feel themselves secure by his perpetual banishment. On the pretext that he had fled from justice, a Bill of Banishment was passed through both Houses, by which he was pronounced incapable of returning to the country unless he surrendered before February 1st. It might have been thought that it transcended even the bounds of Charles's shifty cowardice, to give his assent to a Bill which imposed a punishment on his late Minister, solely because he had done what the King commanded him to do. But even to this depth the King descended. It was in vain that the Duke

of York urged that it was the King's own order that betrayed Clarendon into making that escape from which his own judgment was so averse. Charles could only plead "that the condescension was necessary for his own good," and that he must compound with those who would else press for worse. Charles shared in that fantastic pride of his family that often betrayed them to their fall; in him it was united with a depth of abasement to which only the selfish libertine could descend. What is strangest of all is, that a man guilty of such meanness should yet have attracted to himself such wealth of generous loyalty.

When the news arrived that the Bill of Banishment had received the King's assent, Clarendon resolved to make all haste back to England, before the appointed day. All thought of Avignon was abandoned, and, at the risk of his life, he pushed on to Calais. There he arrived on the last day of January, a broken, and, it might well appear, a dying man. He was carried helpless to bed, and there lay unable even to read the letters from England, and incapable of thought and of speech. Even the wretched emissary of the French Court, Le Fonde, was fain to leave him for a few days, on what seemed to be his death-bed; but fresh orders compelled him again to undertake the irksome task of harrying the sick-bed of a dying man. "He must leave town next day; a few hours would carry him into Spanish territory."

Clarendon's old heat of temper burst out once more. The conversation was in Latin, and the Chancellor's sick brain did not at once supply him with sufficient store of classical phrases to express his wrath. At last he told the Court emissary "that he must bring orders from God Almighty, as well as from the King, before he could obey." The struggle still went on: on the one side, the unlucky envoy of the Court was compelled to pursue his degrading persecution; on the other hand, Clarendon and his physicians

urged the murderous cruelty of the King's orders. At length, in a last burst of passion, he told the King's messenger that, though the King was a great and powerful prince, he was not yet so omnipotent as to make a dying man strong enough to undertake a journey. The King might send him a prisoner to England, or carry his dead body into Spanish territory; but he would not be the author of his own death by undertaking a journey which was beyond his powers. Le Fonde was left to do his best to reconcile the ruthless orders of his master with Clarendon's resolute appeal to a power higher than that of kings.

But of a sudden the scene changed. The negotiations between England and France had failed, and the French Court no longer found themselves compelled to sacrifice courtesy, and even humanity, in order to conciliate a hopeful alliance. They had harassed Clarendon to please the English Court; they were now to pay him every courtesy in order to show their carelessness of English interests. The French Government had, perhaps, found that a common hatred of Clarendon was not an enduring bond amongst his enemies, and that the new administration of England rested on no very secure foundation. A letter now reached him from the French Minister, announcing that nothing was further from his Christian Majesty's wish than in any way to endanger his health. All France was open to him, and the King's subjects would have orders to pay him all honour. Le Fonde rejoiced at this relief from a thankless task. He came now to say that he was to attend the Chancellor, only to receive his orders.

This happy alteration relieved Clarendon of his worst anxieties. He was no longer a hunted fugitive, but an honoured guest. The rancour of his enemies in England, however bitter, had now spent its force, and he could despise it. His sons still held their places at Court. His household

now attended him, and the savage provisions of the Act of Banishment no longer prevented the easy passage of correspondence between Clarendon and his family and friends. He was still grievously ill, and for six weeks more he was confined to bed. But as his health recovered he determined still to pass to Avignon, by way of Rouen, and to take a course of the waters of Bourbon on the way. He was not prepared to place undue trust in the new-found courtesy of the French Court.

It was on April 3rd, 1668, that he was strong enough to begin his journey. We are again reminded of the hardships of travel in the France of the Grand Monarch, when we read of repeated overturnings of his coach, and of perils both by land and water that pursued the poor Chancellor, even under the careful escort of attentive Court messengers. It was not till April 23rd that he left Rouen, and the stay for the next day was at Evreux, where he had a most untoward experience. It chanced that a company of English sailors, who appear to have been serving as a mercenary troop of artillery in the French army, heard of the Chancellor's arrival. The drunken crowd got out of hand, and vague memories of the naval pay of which they had been bilked prompted them to take vengeance for old arrears upon the luckless Chancellor, whom they deemed responsible for all the misdeeds of the Admiralty. Old echoes of "Dunkirk House," and the ill-gotten gains of Ministers who fattened on the plunder of poor men, were doubtless ringing in their muddled heads.

It would be absurd to attribute any political meaning to the incident, or to suppose that it had any connivance from the French Government. The inn where Clarendon alighted was attacked by the riotous mob. The local magistrates were incapable of dealing with the riot, and were perplexed as to the limits of their jurisdiction. Clarendon's attendants

made what defence they could, and Le Fonde, his former persecutor, and now his courteous escort, received a dangerous wound in his defence. It was like to go hard with the Chancellor himself. At the beginning of the fray, he was struck a violent blow on the head with the flat of a broadsword. The rioters used him with great violence, rifled his pockets and his baggage, and dragged him into the courtyard to dispatch him with their swords. Not a moment too soon, the commanding officer of the English sailors, with some magistrates and a guard, broke into the inn, and rescued Clarendon, when he seemed at the point of death. It looked as if his troubles were not over; the magistrates were ready to fight upon the question of their own jurisdiction, and would allow no one else to show that vigour of resistance to the rioters of which they were themselves incapable. It was only on Le Fonde's vigorous remonstrance, and his threats of the royal vengeance on their remissness, that proper steps were taken for the safety of the company. The Chancellor and his attendants obtained lodgings in the neighbouring castle of the Duc de Bouillon. Having escaped from the perils of the mob, Clarendon had to resist the equally dangerous designs of the French physicians, who wished to perform the operation of trepanning. With what haste he might, he pressed on to Bourbon, and, after some stay there, he reached Avignon in June. Such satisfaction as he could find, in the exemplary punishment of the rioters and in the gracious apologies of the King, was readily accorded by his hosts of France.

At Avignon he reached a haven of refuge, where he might rest from the troubled experiences of the year that was past. It had, indeed, been one of trial sufficient to test the staunchest courage. Within little more than twelve months, he had lost his oldest and most trusted colleague, Lord Southampton. His home had been made desolate by the death of his wife.

He had seen the growing boldness of his enemies, had detected their ruthlessness in falsehood and in knavery, and had found that his loyalty to the Crown was to go for nothing, and that his trust in the honour of the King was based on no sound foundation. Against his own judgment, he had resigned the seal, in order that the King's business might prosper, and that the bitterness of his enemies might be assuaged. When he had been persuaded to resign, he had found that his resignation was to be a new ground of triumph for his enemies, and that it was a foothold for a new attack. By the threat of prosecution they strove to drive him to fly, and when he refused to yield to their threats, they contrived to make the King the agent in their knavish schemes, and procured from him the peremptory message which made Clarendon quit the field. No sooner was he gone, than the very flight which they had contrived was made the ground of new accusations, and he was sentenced to perpetual banishment for avoiding a trial for which no summons had been issued, no indictment laid, no commitment made. Stricken down by illness, he could not meet their challenge by the date enjoined, and the beginning of February found him a proscribed exile, a persecuted fugitive, hounded from post to post, a stricken invalid, longing for the release of death. A few weeks brought some relief at least to the stout spirit that had borne so much. His enemies at home had sped their last bolt, and were fast becoming absorbed in their own sordid quarrels. The French King had abandoned the barbarity of which his own servants were ashamed, and addressed the honoured exile in terms of gracious and almost fulsome courtesy. That exile reached the haven of Avignon, to be received there not only without any of the annoyance of suspicious espionage, but with all the courtesies that could be paid to an honoured guest. The Vice-Legate and the Archbishop

vied with one another in the formal stateliness of their reception. The consuls and the magistrates attended him with all ceremony, and paid him their service in a Latin oration. The Court of St. James's might reject him, but the high functionaries of European diplomacy accorded to him all that tribute of respect which was due to the man who had shaped the policy of the restored English monarchy, and had raised the standard of English statesmanship. Clarendon was not too proud to feel his sense of self-complacency flattered by such homage, and we like him none the less because he allows his satisfaction to appear.

Thus closes the political career which we have endeavoured to trace from its first beginnings, through the period of long and arduous struggle, amidst the clouds of exile and poverty, and once more in the full sun of a triumphant restoration, largely contrived by his wisdom, and dominated by his guiding hand. We have seen the disappointments that marred that triumph, and the ignoble stain that smirched the ideal of a restored monarchy which he had formed. We have seen how, one by one, his cherished aims had been defeated, and how a King, the slave of selfish libertinism, and a Court, the scene of gross debauchery and undisguised corruption, had tempted him to despair of England. We have seen how high he bore himself amidst the degraded crew, and how boldly he attacked the scandals of the Court, and rebuked the craven self-indulgence of the King. We have marked how the various factions that felt uneasy under his sway, gradually coalesced into a rancorous opposition, that knew no bounds in the meanness of their intrigues, and in the barefaced falsehood of their accusations. We have seen how the King stooped to be their instrument, and allowed himself to be the tool of their deceptions. Clarendon became an exile, and, after a brief period of inhuman persecution from a false view of diplomatic expediency, he

received the homage of European Powers, as an honoured guest. In honouring him, they showed what they thought of England under the Cabal. Of what England lost in Clarendon, we can allow the sordid history that followed his fall to afford a sufficiently sure and graphic indication.

It is no part of Clarendon's biography to linger over the revolting details of that disgraceful time. Even in Clarendon's day, the King had lamentably failed to maintain his dignity or to discharge his task. His life now outraged all decency, and his Court fell below the standard of the common bagnio. His prime favourite and his chief Minister was Buckingham, stained by every crime, at once coward and bully, haughty in his arrogant insolence, and yet stooping to intrigues that would have disgraced the veriest rogue from the hulks. In the course of what seems to have been rather a riotous brawl, than an honourable duel—a brawl in which seconds as well as principals took part, and in which more than one life was lost—the King's First Minister killed Lord Shrewsbury, the husband of his paramour. The town was filled with the scandal, but by the personal influence of the King, it was withdrawn from the courts of law. Buckhurst and Sedley, the chosen associates of the King in his notorious bouts of drunken debauchery, roused disgust by a freak of sickening lewdness; the only result was the committal to prison, by the order of the Lord Chief Justice, and at the behest of the King, of the constable who interfered with the indecent escapade. We have a proof of the change that had come since Clarendon's controlling hand had gone, when we remember that some three years before, the same Buckhurst, for a similar outbreak of indecency, was rated in terms of scornful rebuke by the King's Bench Judges, and was bound over to good behaviour by a bond of £5000. The King's harem was augmented by a flower-girl, who had attracted attention on the stage, and was the discarded

mistress of two of the King's associates. Clarendon lamented what he had seen, as a sad lapse from dignity, a grievous fall from the ideals that he had hoped for. What followed was nothing but a carnival of mad obscenity. Samuel Pepys was no squeamish critic; but even he was moved to some earnestness of indignation at the foul orgies in which Charles and his new associates indulged, in shameless publicity. As was natural, such advisers were no careful guardians of Parliamentary or popular liberty. What attention could be spared from debauchery was given to degrading compacts by which the King was to be the submissive pensioner of Louis; to plans for thwarting the prerogative of Parliament; to secret intrigues for subverting the Protestant religion. If the cost to England of his fall was to be measured by the depth of dishonour, and the flagrantly treasonable plots, of those who followed him, Clarendon was triumphantly vindicated, and his wrongs were amply avenged.

In spite of the cordiality of his reception, Clarendon did not find Avignon a desirable residence in the heat of summer. The streets had an ill savour "by the multitude of dyers and of silk manufactures, and the worse smell of the Jews," and he presently moved on to Montpelier, where he made a lengthened stay. His reception was as courteous as before, and this he ascribed to the good offices of Lord and Lady Mordaunt, old friends whom he recommends to the good offices of his children. "When any English came thither," he tells us, "none forbore to pay respect to the Chancellor"; and, with a certain pride, he records how Sir Richard Temple's refusal to visit Clarendon caused "a general aversion towards him," so that he was compelled to quit the town, where "he left behind him the reputation of a very vain, humorous, and sordid person." The good

Chancellor was not above the human capacity of a very cordial hatred, or the inclination to feel piqued at a failure of kindly courtesy.

He was now at ease, and in peace of mind. His health, although undermined by long and painful illness, was sufficiently restored to enable him to indulge his old habits of intellectual activity. "It pleased God in a short time, after some recollections, and upon his entire confidence in Him, to restore him to that serenity of mind, and resignation of himself to the disposal and good pleasure of God, that they who conversed most with him could not discover the least murmur of impatience in him, or any unevenness in his conversations." Clarendon is none the less lovable, because a good conscience preserved for him his old self-complacency. His studies were again renewed. He made himself master of the French language so far as the reading of its literature was concerned. The power of speaking the language he, like many another, found "many inconveniences in." He made a competent progress also in Italian.

But his chief work was the preparation of his defences against the seventeen clauses of the charges formulated against him in the Commons. These were so extravagant that his accusers never sought to make them the foundation of an indictment, and he had little difficulty in showing their baselessness, and how much they contradicted the clearest features of his policy, and the most notorious evidence as to his acts. The Vindication carefully avoided anything that reflected on the King, and he left it to his children, to whom it was conveyed by Lord and Lady Mordaunt, to choose their own time for making it public. He was careful not to prejudice that position at Court which they still owed to Charles's sense of justice.

His serenity was disturbed only by two lingering apprehensions. The first was the insufficiency of his means to

maintain the establishment which his crippled health rendered necessary. For that he could only trust the affection and piety of his children, who, he doubted not, would do their best to transmit to him, from their estates or his own, enough to secure the decencies of life in a foreign land. The other more serious apprehension was the fear that the machination of his enemies might still have power to prejudice the French Court against him. He saw enough to know that that Court still viewed his presence on French soil with some nervousness. He could only soothe his anxieties by his trust in Providence, and by the company of his books. "God blessed him very much in this composure and retreat."

He did not spare himself in his reflections on what had been amiss in his own conduct. "There was nothing of which he was so ashamed, as he was of the vast expense he had made in the building of his house." He could only excuse, but not justify it. This is an old topic of accusation, to which we have already alluded, but we may revert to it once again. Since the Restoration, Clarendon had commanded little leisure to find a suitable house, and had moved frequently from one to another. At first he had resided at Dorset House, in Fleet Street, once occupied by Bacon, and formerly the town house of the Bishop of Salisbury. From there he went to Worcester House,[1] for which he paid the large rent of £500 a year. After the Fire, he moved to Berkshire House, in St. James (on the site of the present Bridgewater House), which became known as Cleveland House when adopted as the residence of Lady Castlemaine, then Duchess of Cleveland, in 1668. York House, Twickenham, was assigned to him after the marriage of his daughter to the Duke of York, and there the Princess,

[1] The residence of the Marquis of Worcester (previously Lord Glamorgan), and used by Cromwell during the Commonwealth.

afterwards Queen Anne, was born. It was only after many changes that he ventured, in the full tide of his prosperity, and with the encouragement of the King, to provide a house of his own; but his ignorance of architecture—and probably also his absorption in weightier affairs—made him the victim of the architect,[1] who estimated the cost at less than one-third of what it came to, which was £50,000. He found himself not only involved in debt, but the mark of envious scandal for the pride and ostentation of his dwelling. Yet when its sale was proposed to him "he remained so infatuated with the delight he had enjoyed, that, though he was deprived of it, he hearkened very unwillingly to the advice." A lingering hope remained that he might still live there, in all the pride of a restored good name. A weakness so confessed may readily be forgiven. The harm it did was only to his own estate.[2]

[1] The architect was Pratt. The house was built during Clarendon's absence from London in the Plague year, when Parliament sat at Oxford.

[2] Evelyn, as we have seen (*ante*, p. 254) had praised the house more guardedly than Pepys, but in a letter to Lord Cornbury (Jan. 20, 166⅔) he speaks of it with perhaps courteous excess of admiration. "Let me speak ingenuously," he says: "I went with prejudice, and a critical spirit, incident to those who fancy they know anything in art. I acknowledge to your Lordship that I have never seen a nobler pile. . . . It is, without hyperbolies, the best contrived, the most useful, graceful, and magnificent house in England." He enters into the details of the building, and concludes thus: "May that great and illustrious person, whose large and ample heart has honoured his country with so glorious a structure, and by an example worthy of himself, showed our nobility how they ought indeed to build, and value their qualities, live many long years to enjoy it; and when he shall be passed to that upper building, not made with hands, may his posterity (as you, my lord) inherit his goodness, this palace, and all other circumstances of his grandeur, to consummate their felicity."

Evelyn may best be allowed to tell of the passing of Clarendon's architectural glory. It is in the *Diary* for September 18, 1683.

"After dinner I walked to survey the sad demolition of Clarendon House, that costly and only sumptuous palace of the late Lord Chancellor Hyde, where I have often been so cheerful with him, and sometimes so sad; happening to make him a visit but the day before he fled from the angry Parliament, accusing him of maladministration, and being envious at his grandeur, who, from a private lawyer, came to be father-in-law to the Duke of York, and, as some would suggest, designing his Majesty's marriage with the Infanta of Portugal, not apt to breed; to this they imputed much of our unhappiness,

At the date of his banishment, Clarendon was not an old man, as age is generally reckoned. He had not yet reached the age of sixty years, which finds many men in possession of their full powers. But ill health, anxiety, long years of hardship and incessant labour, had combined to make him prematurely old. For a time, indeed, it seemed as if he could only survive his fall by a few weeks or months, and as if his work were to finish when he left his country for the last time. But his indomitable energy, and the brave spirit that sustained him, brought back first a tolerable measure of good health ; then serenity of mind ; and, lastly, that industry which opened to him, in the reading and in the making of books, a new world from which all the sordid pettiness, and the infinite annoyances, of the political arena were banished. There is but little more to tell of that strenuous life, which had seen so much of storm and tempest, varied by gleams of sunshine, and, above all, illuminated by an imagination so rich, and by an historic sense so gorgeous and so inspiring to a man whose life was spent in making

and that he being sole Minister and favourite at his Majesty's restoration, neglected to gratify the King's suffering party, preferring those who were the cause of our troubles. But perhaps as many of those things were injuriously laid to his charge, so he kept the Government far steadier than it has since proved. I could name some who, I think, contributed greatly to his ruin, the buffoons and the *misses*, to whom he was an eye-sore. 'Tis true he was of a jolly temper after the old English fashion ; but France had now the ascendant, and we were become quite another nation. The Chancellor gone, and dying in exile, the Earl his successor sold that which cost £50,000 building to the young Duke of Albemarle for £25,000, to pay debts which how contracted remains yet a mystery, his son being no way a prodigal. . . . However it were, this stately palace is decreed to ruin, to support the prodigious waste the Duke of Albemarle had made of his estate since the old man died. He sold it to the highest bidder, and it fell to certain rich bankers and mechanics, who gave for it and the ground about it £35,000 ; they design a new town as it were, and a most magnificent piazza. . . . See the vicissitudes of earthly things ! "

In June of the following year Evelyn found streets and buildings—Bond Street and Albemarle Street—encroaching on the beauty of the site. The fall of Clarendon House had tempted Lady Berkeley to turn her gardens into squares, and she actually realized the then amazing amount of £1000 a year " in mere ground rents " ! " To such a mad intemperance has this age come of building about a city by far too disproportionate already to the nation." If Evelyn's ghost still haunts the scene, what are its reflections now?

history. From what his pen has left us, from that incomparable history where the scenes in which he had played so great a part, and the actors amongst whom he had moved, are portrayed with such dramatic force, we can easily picture to ourselves how vivid were Clarendon's memories, and how richly the days of his retirement were peopled with the thoughts of what had been. The respect paid to him, the homage accorded to his great achievements and his great name, were not merely soothing to his personal vanity—they served to bring him closer to those historic scenes in which he had moved. He had still the invaluable treasures of industry and hope. He could still add to that which he would leave to his world; he could still hope that he might see his country, and be honoured as of old by his countrymen. We must accept Clarendon as nature made him. For him life was a large stage, on which he must act his part with dignity. Like Ulysses, he "was a part of all that he had known"; he could not rest from effort; if he could not act great deeds, he could still wield his pen in stately eloquence.

It was, he tells, the third of the retreats from a life of trouble and vexation, which Heaven had granted him, and which he reckoned amongst his choicest blessings. After the storms of the Civil War, he had one such retreat at Jersey, when the Prince had, much against his advice, left for France. In that first retreat he had gained much. He learned to know himself better, and other men more truly. His youth had been engaged in company and conversation, and in the full tide of early success at the bar, followed by absorption in the turmoil of politics, he had moved on the quick current, and had not had leisure for contemplation, or for studying the ways of men. His early life had been one "of ease and pleasure and too much idleness"; it was only the instinct of association with men whom he could

respect, that preserved him from "any notable scandal," and made him live, as he naïvely tells us, at least "*caute*, if not *caste*." Too much idleness he had exchanged for too much business. The retreat at Jersey had come just when it was well "to compose those affections and allay those passions, which, in the warmth of perpetual actions, and chafed by continual contradictions, had need of rest, and cool and deliberate cogitations." He learned "how blind a surveyor he had been of the inclinations and affections of the heart of man," and how warily he must walk who would avoid the pitfalls of human intercourse.

The next retreat came during the two years of his Embassy in Spain. It gave him a respite from the petty, but none the less rancorous, bickerings of the exiled Court. It offered him a new period of intercourse with his books. It opened a new world to him in the intricacies of European diplomacy. Above all, it allowed him once again to renew that spirit of fervent religious devotion, which always served as the background of his busy life.

Now, in this the third of his retreats, spent and wearied, and, as it might seem, baffled, he could find consolation in the opportunity of once more adding to his intellectual stores, enriching his bequest to the world, and amplifying the proud record which should serve as his vindication to posterity. In his "Devotions on the Psalms," in his replies to Cressy and to Hobbes, in a crowd of miscellaneous essays on those general ethical topics which were suited to the taste of that day, and have proved singularly ill-adapted to the taste of our own; above all, in the completion of his great *History of the Rebellion*, with which he incorporated his autobiography, Clarendon found abundant employment for his crowded leisure.

He remained at Montpelier until June, 1671, and thereafter resided at Moulins, until the spring of 1674. He had

the comfort of abundant friends, of frequent correspondence, and of occasional visits from his sons, Lord Cornbury, and Lawrence Hyde.[1] The management of his property, so far as he could carry it out in exile, was a source of some annoyance, but doubtless also helped to keep alive his hope of a return to his country and his home. We have no details of his life in exile. We only know enough to show that it was one of no listless indolence, no craven depression, and no vain repining. Clarendon died, as he had lived, with energy unconquered, with hope unabated, still clinging to all that made human life more noble in action, more stately in its ordering, more lofty in its ideals. Alike by temperament, by training, by all that had roused his enthusiastic devotion, and attracted his passionate loyalty, and by the moulding of a long experience of struggle and of suffering, he was apt to frame these ideals on the historic records of the past. It was not his to strike out daring enterprises or to initiate sweeping reforms. He built upon the associations that had been handed down to him. But the memory of his achievements, marred and blurred as these were by sordid surroundings, ignoble intrigues, and the disappointments that tried his loyalty, was none the less precious; nor was the inheritance of his literary accomplishment the less valuable. Can England point to one who at once filled a larger part in her history, and left a more enduring monument in the annals of her literature?

Vexations still came to him in these closing years of exile. He had the bitter mortification of learning, on evidence which he strove to think was not fully proved, that his daughter had betrayed the traditions of his house and of his teaching, and had been persuaded to accept those doctrines of the Roman Catholic Church, which he held to

[1] Lawrence Hyde is always referred to as "Lory" in his father's correspondence. He became Earl of Rochester.

be false to the truth, and dangerous to the welfare of his country. In dignified words, he strove to turn her from that error with all the weight of a father's authority, which her exalted position as the wife of the Heir Presumptive did not, in his view, weaken or control; but he heard of her death on March 31st, 1671, in the thirty-fourth year of her age, as the avowed adherent of a Church of which he had all his life been a convinced opponent. In June, 1671, through his son Lawrence, then returning from a visit to Moulins, he addressed a letter to the King, beseeching him, in memory of all his tried service and his devoted loyalty, to allow that he should return to die in his own country. In August, 1674, he again addressed the King, the Queen, and the Duke of York, in words of still more earnest entreaty.

"Seven years," he wrote to the Queen, in asking her aid, "was a time prescribed and limited by God Himself for the expiration of some of his greatest judgments, and it is full that time since I have with all possible humility, sustained the insupportable weight of the King's displeasure, so that I cannot be blamed if I employ the short breath that is remaining in me, in all manner of supplication, which may contribute to the lessening this burthen that is so heavy upon me. I do not presume to hope ever to be admitted to your Majesty's presence. Though I have all imaginable duty, I have no ambition, and only pray for leave to die in my own country amongst my own children, which I hope his Majesty will at some time vouchsafe to grant."

"It is now full seven years," he wrote to the King, "since I have been deprived of your Majesty's favour, with some circumstances of mortification which have never been exercised towards any other man, and therefore I may hope from your good nature and justice, that a severity which you have never practised upon any other man for half the time, may be diminished in some degree towards me."

He prays "that you will at least signify your consent that I may return to beg my bread in England, and to die amongst

my own children." In terms as strong and moving he besought the mediation of the Duke of York. But these appeals, which might have touched the heart of the sternest tyrant, fell dead upon the selfish cynicism of Charles, deaf at once to the calls of honour, and to the gratitude due to unswerving loyalty. They met with no response.

In the spring of 1674, Clarendon moved to Rouen, indulging the hope of a return to his country and his home, and eager to be nearer to answer any summons sent by a relenting sovereign. But no such summons came, and the weary exile was now at the end of his brave and strenuous labour. On December 9th, 1674, he breathed his last. His son, Lord Cornbury, was present at his deathbed, having been summoned when the end was near. The French Court had granted him the privilege of making testamentary provisions, which otherwise would not have been possible to him as a foreigner on French soil. His will was dated on December 11th (French style [1]), but it related only to his writings and papers, with which his heirs were to deal subject to the advice of his old friends, Sheldon, Archbishop of Canterbury, and Morley, Bishop of Winchester. He had probably disposed of his other property by earlier gifts. His body was brought to England, and was buried in the Henry VII. Chapel at Westminster. No monument marks the spot where the great Minister rests amongst the monarchs whose throne he served so well.[2]

We have endeavoured, from the varied episodes of his life of strange vicissitude, and from the records of his strenuous action, of his undaunted courage, and of his well-tried loyalty, to draw the portrait of Lord Clarendon, to

[1] December 1st, according to the English calendar.

[2] The name was inscribed on the site of the family vault, under Dean Stanley, in 1867. Clarendon's mother had been buried there in 1661; and afterwards his third son, in 1664. It is at the foot of the steps to Henry VII.'s Chapel.

describe his character as we conceive it, and to vindicate his place in history. We have not sought to conceal his foibles, nor to palliate what may appear to some to be his prejudices. We are concerned mainly to claim for him, as the first of a long line of Conservative statesmen, a high ideal of statecraft, a lofty patriotism, and a clear-sighted honesty of purpose. We admit, without considering it necessary to apologize for, that impetuous temper, which does not make us love him less, and those traits of self-complacency which were a part of his fearless candour, and in no wise detract from the dignity of his nature. We have tried to portray the secret of his influence, his genius for friendship, and the wide range of his outlook upon the drama of history. We have abundant evidence of the impression of his personality upon life-long friends, and even upon doubtful critics.

"He spoke well," says Burnet: "his style had no flaw in it, but had a just mixture of wit and sense, only he spoke too copiously; he had a great pleasantness in his spirit, which carried him sometimes too far into raillery, in which he sometimes showed more wit than discretion."

That is the verdict of an acute, but at best a lukewarm, judge. Elsewhere Burnet writes:

"Upon the whole matter, he was a true Englishman, and a sincere Protestant, and what has passed at Court since his disgrace has sufficiently vindicated him from all ill designs."

"Sir Edward Hyde," writes Sir Philip Warwick, "was of a cheerful and agreeable conversation, of an extraordinary industry and activity, and of a great confidence, which made him soon at home at a Court. . . . He had a felicity both of tongue and pen, which made him willingly hearkened unto and much approved." [1]

[1] *Memoirs*, p. 196.

"I am mad in love with my Lord Chancellor," says Pepys, "for he do comprehend and speak out well, and with the greatest ease and authority that ever I saw man in my life. I did never observe how much easier a man do speak when he knows all the company to be below him, than in him."

The gossipping diarist was no inapt observer of the ways of men, and had no small experience. Evelyn was a more attached and grateful admirer. To him, the great Chancellor was "of a jolly temper, of the old English fashion." Yet Evelyn had known Clarendon when his courage was most tried, when his hopes were baffled, and when the sordid crowd of courtiers and profligates had baited him almost to the death. It is little touches like these that fill in the picture of the man.

Of his literary achievement this is not the place to speak. It has a secure and proud niche in the annals of our literature. We have tried to present him as the Statesman and the Man of Action, and as the tried, the faithful, and the ungrudging, friend.

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